

# Agenda

## Cabinet

Date: **Thursday 23 July 2020**

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Time: **2.00 pm**

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Place: **Online meeting**

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If you would like help to understand this document, or would like it in another format, please call Sarah Buffrey on (01432) 260176 or e-mail [sarah.buffrey@herefordshire.gov.uk](mailto:sarah.buffrey@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the meeting of Cabinet

## Membership

**Chairperson** Councillor David Hitchiner, Leader of the Council  
**Vice-Chairperson** Councillor Felicity Norman, Deputy Leader of the Council

**Councillor Ellie Chowns**  
**Councillor Pauline Crockett**  
**Councillor Gemma Davies**  
**Councillor John Harrington**  
**Councillor Liz Harvey**  
**Councillor Ange Tyler**

## Agenda

	Pages
<p><b>1. APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence.</p>	
<p><b>2. DECLARATIONS OF INTEREST</b></p> <p>To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.</p>	
<p><b>3. MINUTES</b></p> <p>To approve the minutes of the meeting held on 25 June 2020.</p>	9 - 22
<p><b>HOW TO SUBMIT QUESTIONS</b></p> <p><i>The deadline for submission of questions for this meeting is:</i></p> <p><i>9:30am on Monday 20 July 2020.</i></p> <p><i>Questions must be submitted to <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a>. Questions sent to any other address may not be accepted.</i></p> <p><i>Accepted questions and the response to them will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at <a href="https://www.herefordshire.gov.uk/getinvolved">https://www.herefordshire.gov.uk/getinvolved</a></i></p>	
<p><b>4. QUESTIONS FROM MEMBERS OF THE PUBLIC</b></p> <p>To receive questions from members of the public.</p>	
<p><b>5. QUESTIONS FROM COUNCILLORS</b></p> <p>To receive questions from councillors.</p>	
<p><b>6. ALLOCATION OF POTHOLE AND CHALLENGE FUND 2020/2021 GRANT FOR HIGHWAY MAINTENANCE AND REALLOCATION OF CAPITAL PROGRAMME BUDGETS FOR PRIORITY FLOOD WORKS</b></p> <p>To approve the allocation of funding to enable priority flood damage repairs and as able works to enhance the resilience of the county's infrastructure.</p>	23 - 36
<p><b>7. BETTER WAYS OF WORKING REVISED IMPLEMENTATION</b></p> <p>To review and recommend further delivery of the "better ways of working" (BWOW) initiative that enables employees to work flexibly and to consolidate use of premises. This decision reflects on the impact and implications of Covid-19 on the plans that were set out and agreed by Cabinet on 27 February 2020.</p>	37 - 50
<p><b>8. HERITAGE ACTION ZONE - LEOMINSTER</b></p> <p>To approve expenditure and deliver activities as detailed in the Leominster Heritage Action Zone Delivery Plan.</p>	51 - 114

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|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 9.  | <b>HEREFORDSHIRE MULTI - AGENCY PROTOCOL FOR CHILDREN AND YOUNG PEOPLE WITH DISABILITIES AND COMPLEX NEEDS - PREPARING FOR ADULTHOOD</b>                                                                                                                                                           | 115 - 152 |
|     | To agree the revised content of the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood on behalf of Herefordshire Council services.                                                                                 |           |
| 10. | <b>JOHN KYRLE HIGH SCHOOL AND SIXTH FORM: NEW PERMANENT ACCOMMODATION</b>                                                                                                                                                                                                                          | 153 - 186 |
|     | To approve a new permanent building at John Kyrle High School & Sixth Form Centre to accommodate additional pupils admitted from September 2021 in response to rising numbers in Ross-on-Wye and to meet parental preference, and to agree the procurement approach to deliver the required works. |           |

## The Public's Rights to Information and Attendance at Meetings

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### YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

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<sup>1</sup> The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

## **Recording of this meeting**

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Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council is making an official recording of this public meeting. These recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

## Guide to Cabinet

The Executive or Cabinet of the Herefordshire Council consists of a Leader and Deputy Leader and six other Cabinet Members each with their own individual programme area responsibilities. The current Cabinet membership is:

Cllr David Hitchiner (Leader) (Herefordshire Independents)	Corporate Strategy and Budget
Cllr Felicity Norman (Deputy Leader) (The Green Party)	Children and Families
Cllr Gemma Davies (Herefordshire Independents)	Commissioning, Procurement and Assets
Cllr Ellie Chowns (The Green Party)	Environment, Economy and Skills
Cllr Liz Harvey (It's Our County)	Finance and Corporate Services
Cllr Pauline Crockett (Herefordshire Independents)	Health and Adult Wellbeing
Cllr John Harrington (It's Our County)	Infrastructure and Transport
Cllr Ange Tyler (Herefordshire Independents)	Housing, Regulatory Services and Community Safety

The Cabinet's roles are:

- To consider the overall management and direction of the Council. Directed by the Leader of the Council, it will work with senior managers to ensure the policies of Herefordshire are clear and carried through effectively;
- To propose to Council a strategic policy framework and individual strategic policies;
- To identify priorities and recommend them to Council;
- To propose to Council the Council's budget and levels of Council Tax;
- To give guidance in relation to: policy co-ordination; implementation of policy; management of the Council; senior employees in relation to day to day implementation issues;
- To receive reports from Cabinet Members on significant matters requiring consideration and proposals for new or amended policies and initiatives;
- To consider and determine policy issues within the policy framework covering more than one programme area and issues relating to the implementation of the outcomes of monitoring reviews.

### Who attends cabinet meetings?

	Members of the cabinet, including the leader of the council and deputy leader – these are the decision makers, only members of the cabinet can vote on recommendations put to the meeting.
	Officers of the council – attend to present reports and give technical advice to cabinet members
	Chairmen of scrutiny committees – attend to present the views of their committee if it has considered the item under discussion
	Political group leaders attend to present the views of their political group on the item under discussion. Other councillors may also attend as observers but are not entitled to take part in the discussion.





Herefordshire Council

**Minutes of the meeting of Cabinet held at Online meeting on Thursday 25 June 2020 at 2.30 pm**

**Present:** Councillor David Hitchiner, Leader of the Council (Chairperson)  
 Councillor Felicity Norman, Deputy Leader of the Council (Vice-Chairperson)

Councillors Ellie Chowns, Pauline Crockett, Gemma Davies, John Harrington, Liz Harvey and Ange Tyler

Cabinet support members in attendance Councillors John Hardwick, Alan Seldon and Jenny Bartlett

Group leaders in attendance Councillors Terry James, Trish Marsh and Bob Matthews

Scrutiny chairpersons in attendance Councillors Elissa Swinglehurst, Carole Gandy and Jonathan Lester

Officers in attendance: Director for economy and place, Director for children and families, Solicitor to the council, Chief finance officer, Director for adults and communities and Head of Corporate Performance, Assistant director, people and performance

**152. APOLOGIES FOR ABSENCE**

There were no apologies from members of the cabinet.

**153. DECLARATIONS OF INTEREST**

None.

**154. MINUTES**

**Resolved:** That the minutes of the meeting held on 4 June 2020 be approved as a correct record and signed by the Chairperson.

**155. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 8)**

Questions received and responses given are attached as appendix 1 to the minutes.

In answer to a point of order, the monitoring officer confirmed that members of the public asking questions could be stated as doing so anonymously should they wish, provided that when submitting their question to the Council they provided details that they live or work in Herefordshire.

**156. QUESTIONS FROM COUNCILLORS (Pages 9 - 14)**

Questions received and responses given are attached as appendix 2 to the minutes.

**157. END OF 2019/20 CORPORATE BUDGET AND PERFORMANCE REPORT**

The cabinet member for corporate services and finance introduced the report and highlighted the following:

- It covered the first full year of the coalition budget
- There had been a number of challenges in changing the priorities and in addition there had been two major flooding events and the shared experience of a coronavirus.

- Staff were thanked for their work over the year which included the additional work which had been required in connection with the flooding and coronavirus.
- There was a slight underspend as at 31 March 2020 of £570k.
- Council borrowing had decreased by nearly £10m and investments had increased.
- All directorates had delivered their revenue savings target and were on target to deliver this year's savings.
- 71% of the performance measures over the previous year had shown improvement or remained steady compared to last year.
- 52% of the actions from our delivery plan had been identified as complete or having been progressed within their planned timescales.
- Bad debts written off amounted to 0.3% of the council's overall revenue budget.

As part of the discussion on the item, the following points were made about each cabinet member portfolio area:

#### *Health and adult wellbeing*

- The positive performance built on three years of focused practice development and culture change within the adults and community directorate.
- The strength-based model of practice had been of interest to both Welsh and English authorities. This model had supported increasing numbers of people and enabled residents to build on their own strengths.
- There was an enhanced level of support for staff.
- There had been a 30% reduction in complaints
- There was no waiting list for adult social care assessments.
- Herefordshire was ranked 8<sup>th</sup> nationally for resident's quality of life and was in the top quartile for residents in receipt of care who have as much social care as they would like.
- The TalkCommunity programme had been successful and this had been acknowledged during the two flooding events and the ongoing coronavirus pandemic.

#### *Environment, economy and skills*

- There was new funding for external programmes, e.g. Marches renewable energy project which would assist with meeting environmental targets.
- Extra funding had been receiving for extending walking and cycling projects.
- Six new fully electric cars had been purchased.
- There had been energy efficiency projects across the council estate.
- The student accommodation on station approach would be completed soon.
- Work on the shell store and cyber centre was continuing.

#### *Housing, regulatory services, and community safety*

- Environmental health officers would be supporting track and trace.
- Strategic housing had delivered 213 affordable homes against a target of 210.
- A soft market test had been completed on the housing delivery project and a specification was in the process of being written to enable the commissioning of a consultant.
- The new allocation scheme for HomePoint had gone live on 22 June.
- Work was in progress on the housing strategy, tenancy strategy and temporary accommodation strategies .
- The supplementary planning document for affordable housing was currently out for consultation.
- Empty property work had been suspended due to the coronavirus.

### *Infrastructure and transport*

- The economy and place directorate had delivered a balanced budget but there had been a challenge in the planning department.
- There was an ongoing problem with the flood damage incurred in the county. The council had been led to believe that Bellwin would cover these costs and there were ongoing discussions with government to ensure that the council received the funding.

### *Children and families*

- The children and young people's partnership plan had been agreed which had been developed in consultation with children and young people.
- Work on mental health would be continuing and there would be a need to take into account the impact of the lockdown.
- There were now mental health support teams in secondary schools.
- The edge of care service was now in operation
- Specific accommodation for young people had been purchased.
- There had been some stabilisation in children's safeguarding and social work practice continued to improve.
- Recruitment and retention would be key to enable good practice to continue.
- The new children and young people's partnership arrangements were now operational and would build on the previous arrangements.
- Education performance in early years and primary schools were now in the top quartile but work would further work was required in the secondary schools.
- There had been an overspend in the children and families directorate but this was due to placement costs. There had been an improvement in placement costs in the last quarter of the financial year.

### *Commissioning, procurement and assets*

- Cultural services had adapted to the new working arrangements due to the coronavirus.
- Property services had taken over the maintenance of the College Road campus.
- Work was underway on the Procurement- Local and social value project
- The waste team had managed to keep all services running despite the pressure of two floods and the coronavirus. The team had worked beyond their normal hours to ensure that no waste collections were missed.

### *Group Leaders*

The group leaders made the following comments:

- The outturn was a credit to the council
- There would be decisions to be made if government did not provide the funding under Bellwin. However, it was confirmed that there was active engagement with the MPs.
- Not all the waste sites were open and this was causing residents anxiety. It was confirmed that there were plans to open all the waste sites.
- If there was a resurgence of the coronavirus and if government funding was questionable, then it would be very difficult to deal with the crisis and would put local government in a difficult position.
- It was acknowledged that it had been a challenging year and the overall underspend was welcomed. The financial position would be affected by coronavirus.

- There was concern that the looked after children (LAC) and the number of children on a child protection plan remained high which would continue the budget pressure in the children and families directorate. There was a request for a review of the threshold to ensure that it was correct. It was confirmed the threshold would be looked at and that whilst there had been less opportunity for contact with vulnerable children and young people, the schools and directorate had kept contact.
- The progress on the shell store, cyber centre and expansion of the Hereford Enterprise Zone were encouraging.
- The southern link road would be important to the projects in the Hereford Enterprise Zone but the funding had been lost. It was confirmed that the administration did not lose the money, it had been withdrawn because they were not in a position to progress the project as no business case had been prepared which could be submitted to the Department for Transport (DfT). A review of the project was currently underway.
- The strength based approach in adults and wellbeing directorate was welcomed.
- The council signing up to the citizen's advice bureau protocol in respect of council tax debt was good news.
- The active travel measures would open up towns for those people who were shielding or clinical vulnerable.

#### *Scrutiny chairpersons*

The scrutiny chairpersons made the following comments:

- It was frustrating that there had no little progress with regard to oral health as there had been a spotlight review in 2018 which had made recommendations. It was also 5 years since the oral health plan was put in place.
- The strength based approach was working well, delivering care at the right time, at the right level and properly monitored.
- Delayed transfer of care (DToC) had decreased.
- It was pleasing to note an increase in the use of the WISH website.

#### **RESOLVED that:**

- (a) Cabinet reviewed performance and financial outturn for 2019/20, as set out in appendices A, B, D, E, F and G, and did not identify any additional actions to be considered to achieve future improvement; and**
- (b) The treasury management outturn report at appendix C be recommended to Council for approval.**

The meeting ended at 16:19

**Chairperson**

## PUBLIC QUESTIONS TO CABINET – 25 June 2020

**Question 1****Mr R Palgrave, How Caple****To: cabinet member, infrastructure and transport**

The County All Party Parliamentary Group of MPs, supported by the County Councils Network (CCN), is investigating the decline of rural bus services and will make recommendations to government. They are inviting evidence from Councils. Their inquiry's terms of reference also seeks views on the immediate and long-term impact of Coronavirus on bus services. The deadline for responding is 31 July.

Re-vitalising bus services is a key part of the Local Transport Policy and will make a valuable contribution to addressing the climate emergency. Figures from CCN show that funding for rural bus services in the UK has almost halved since 2010.

It would be unfortunate if this opportunity to lobby central government for more financial support were missed. Is Herefordshire Council preparing a submission to this inquiry and if not will it now allocate resources to do so?

**Response**

Thank you for your question Mr Palgrave. Thank you for drawing attention to this important opportunity to provide evidence to the County Council's Network with a view to seeking a better deal for rural bus support from government. I can confirm that we will be making a submission and will provide our views on the issues raised which comprise:

- Funding for rural bus services
- Innovation
- The key issues we would like the National Bus Strategy to address, and
- Concerns regarding Covid 19 and longer term implications for rural bus services

We will be making a submission for the reasons outlined, collating the substantial evidence already held prior to the inclusion of Covid-19s after effects – and also on what so far limited and disjointed evidence we have on the further impacts since lockdown and re-emergence from lockdown. Public transport – particularly buses, particularly an ambition for electric buses – is a central theme to the transport policy of the new administration. Lobbying government to help them understand the huge advantages, social and economic, that public transport has in a semi-rural authority like ours is critical. We have already seen the effects of the partial disruption of our rather limited bus service on commuters and communities in the Golden Valley, it is essential we commit resource and focus on making sure good bus services are available within the County.

**Supplemental Question**

Will the evidence submitted by the Council be made public?

**Response**

Thank you sir. I see no reason why they shouldn't be as long as there is no matters that are outstanding in terms of necessary confidentiality but absolutely that is the ambition

## **Question 2**

**Anonymous, Hereford**

**To: cabinet member, finance and corporate services**

I am an experienced event manager with a limited company who has been declined furlough due to being on annual payroll not monthly. I am unable to claim the Herefordshire Small Business Discretionary Grant Fund as I do not have a rateable value or licenced business premises as I work on site with clients, therefore I do not meet your criteria. All my future event work has been cancelled and I am currently living off savings. Is there any help available to support my business please?

### **Response**

The small business and retail, hospitality and leisure grant schemes that council is operating on behalf of Government are aimed at businesses that operate out of properties that have a rateable value. The council has paid out over £55m in grants to more than 4,700 businesses. The council has also launched a discretionary grant scheme to support businesses such as yours that do not have their own business rates assessment. This is funded from Government, and Herefordshire has been allocated £3.2m in funding for this.

The scheme is aimed at small or micro businesses, charities and social enterprises with a turnover of not more that £10.2m and fewer than 50 staff that are in shared premises or other flexible working spaces.

As this is a discretionary scheme businesses need to apply via the council's website, the closing date for applications is midday on the 29<sup>th</sup> of June. I would encourage you to apply for the discretionary scheme.

<https://www.herefordshire.gov.uk/discretionarygrant>

### **Supplemental Question**

Thank you for your reply. However, as stated previously I am unable to claim from the Discretionary Business Grant because I do not pay business rates nor have business premises and the criteria clearly says:

Unfortunately, those in different circumstances to the above, such as businesses working from home or mobile-based businesses, are currently not eligible for this grant.

I am outside your criteria as I work from home then go on site with clients. Please can you advise what support is available to me, as I am not getting the furlough payments either?

### **Response**

I would hesitate to answer that because I think the important thing is that we get the detail of this questioner's circumstances. If the governance support team could pass the contact details to the finance team, they will be able to see what we can try to do to better understand whether there is any grant funding that's available that they can he can qualify for.

### **Question 3**

**Ms M Setterfield, Hereford**

**To: cabinet member, infrastructure and transport**

From September many parents (and staff) could consider making their daily journeys to school by bicycle or on foot. More parents are likely to be working from home and others will be still furloughed, self-isolating or seeking employment and therefore more available to accompany children.

What progress has been made on the 20 action points of the 2017 Sustainable Modes of Travel to School Strategy given that the council is accepting funding for Pop-up active travel in Herefordshire?

As bus use and car-sharing are currently considered less safe we risk huge extra congestion if we cannot make roads and cycleways safe for our children and families to use ready for this September.

### **Response**

Thank you Ms Setterfield for your question. We support the ambitions of the 2017 Sustainable Modes of Travel and there is no better time than to respond to the realities of our current environment than now.

The first tranche of emergency active travel measure funding announced will enable local authorities to implement immediate temporary (pop-up) measures to respond to the relaxation of lockdown measures and the re-opening of shops by making provisions for social distancing on the highway and providing facilities to improve walking and cycling access to city & town centres, schools and businesses. Herefordshire Council have been allocated a sum of £40,000 for these initial measures and a set of proposals have been developed and are being consulted on in readiness for introduction from early July. These include measures in Hereford and the market towns and comprise 20mph zones, footway widening, cycle lanes, one way streets and some street closures. It is anticipated that the next funding will support the introduction of further measures, including more permanent provisions to improve walking and cycling. In readiness for this Herefordshire Council has commenced a process to bring together walking and cycling measures developed across various programmes, including SMOTS, and this will form the basis of further measures subject to funding.

The funding we have received from government is not significant, based as it is on a local authority's public transport usage but it does allow us to plan, prepare and promote an increase in safe routes to schools for cyclists and pedestrians. The transport team will be happy to discuss this with you and others who have an interest in this in more detail – and we are always receptive to new and better approaches to our school run congestion issues. Covid-19 aside, it should be the ambition of this Council to make sure cycling and walking is the primary mode of transport to school and colleges wherever possible. And we need to put more effort into making more possible.

### **Supplemental Question**

Thank you for your heartening reply. May I just follow up by asking exactly what new measures will be in place by September and where will they be?

### **Response**

I cannot give you the detail yet as we are working on this at full pace. We know the money is coming as two tranches. Herefordshire does not qualify for a lot of the emergency funding as it is based on previous public transport capacity and Herefordshire's has not been very good. We have got in total about £200k - £50k to start the immediate measures and £150k to try and do things soon after. We are preparing for schools going back in September so the minute we have the detail, it will be shared. If anyone wishes to feed into the process, please send any ideas, queries etc to the transport team.



**COUNCILLOR QUESTIONS TO CABINET – 25 June 2020****Question 1****Councillor Roger Phillips, Arrow Ward****To: cabinet member, commissioning, procurement and assets,**

With Hereford, Leominster and Ross Household waste sites open can the cabinet member give us an update on her proposed timetable for the opening of all the other Herefordshire sites ?

**Response**

Thank you for your question Cllr Phillips. As you will be aware, the household recycling centres had to be restricted to only three locations to ensure that the costs were kept within scope, due to increased staffing expenditure to manage the social distancing and control measures required of them.

The waste team and I have been having weekly meetings to discuss when the likely open of the remaining sites will be. We had to wait to see how Ross on Wye went first with a booking system. I am pleased to say it has been a huge success and I would like to personally thank the residents of Ross on Wye and surrounding areas for their ability to make this system work.

I am delighted to inform that, as a result of the waste team's incredible hard work finalising plans which have taken some weeks, that we have now been able to confirm that the remaining sites will be open. We are tentatively looking at this starting week commencing 6<sup>th</sup> July. I say tentatively because we need to ensure that measures are in place to ensure the safety of staff and users. I hope to have a confirmed date within the next few days and I will, of course, keep residents and staff up to date through our communications. The sites will be operated by a booking system to manage the amount of users coming to the site. This system will be used until the initial rush of visitors decreases to a manageable level.

I would genuinely like to thank all of the residents who use these satellite sites for their patience and understanding whilst these plans have been worked up.

**Supplemental question**

Thank you very much for that reply as you know I've been in contact with officers to try and get these sites open. I am hopefully that they will be opened. My supplementary question is can the cabinet member confirm that the administration is committed to retaining all these sites open in the future?

**Response**

Yes. There are no intentions to close any of the sites

## **Question 2**

**Councillor Barry Durkin, Old Ward**

**To: cabinet member, infrastructure and transport**

This question relates to the cabinet decision on the reintroduction of car park parking charges. The timing for resumption of charges, following the easing of opening of non-essential shops under COVID 19 regulations, is disappointing and not helpful to shopkeepers. The charges, being so promptly reintroduced, do not help or support shopkeepers and has the potential to be further damaging to their livelihood, especially the independent traders, and also potentially detrimental to the economy of Herefordshire. It must be recognised that businesses will potentially be struggling to maintain their viability after not trading for so many months during the pandemic; in addition to the increase in the trend of on-line purchasing. This help and support for shopkeepers has been recognised by Bromyard Town Council with their decision to maintain no charges in their controlled car parks.

Why is it that the temporary suspension of parking charges could not have been extended to assist shopkeepers with further time to recover?"

### **Response**

Thank you Cllr Durkin for your question. I am sorry but I do not recall being lobbied directly by you prior to your public question. However, after listening to the concerns expressed by parish and town councils, by ward members and particularly those from businesses and Hereford BID, earlier this week I decided to reintroduce free parking for four weeks, on street and in council car parks from Saturday 27 June until Friday 24 July 2020. This will help give retailers and the hospitality trade a much-needed boost at this critical time. I will be looking at what incentives could be introduced in future to attract more people to visit, and to stay longer, in our historic towns and city and I am due to consider this and take a further decision regarding this before the end of this period of free parking.

Like every other council across the country we have parking charges for several good reasons. Charges help us to encourage people to travel in a different way, by walking or cycling for example. For those that want to or must drive, varying those charges allows us to encourage shoppers and other visitors to park outside the urban centres by charging them less for staying longer, whilst those that want to park right in the centres are expected to pay more. Charges keep spaces turning over especially in the City and town centres.

Ideally, I would love people to really think about travelling a different way in town, especially when you consider for example that over 50% of the residents of Hereford travel less than two miles to shop or commute to work. We have all been encouraged by the boost in walking and cycling lockdown brought and we intend to support those ambitions in any way we can whilst recognising some folks must travel in by car.

We have made a commitment to support local business, encourage people to visit our historic city and market towns, and buy locally. We cannot afford to provide free parking forever as we use this income to pay for the costs of transport services including public transport and school buses – austerity and Central Government cuts have left us with 30% less money per year to carry out our responsibilities. So, in the longer term we will be looking at other ways to encourage people to safely visit our wonderful city and historic market towns. There is an opportunity to look to do things in a different way while supporting local business.

## **Supplemental question**

My supplemental question also relates to the further anxiety of shopkeepers. It concerns the current project of active travel measures following this statutory guidance on network management following Covid-19 and the proposed closure of county town centres. I understand the traders were notified on 20 June with a consultation ending on 23 June. There is a lot of concern, anxiety and anger about the proposal from shopkeepers across the county and from residents. The rurality of Herefordshire when its villages and hamlets are not easily linked to town centres and as such there is difficulty to traveling to town centres and depend on cars unlike Hereford city thus Herefordshire residents will be forced to not use town centres due to restrictions and may go to out of town shops. The government committee for climate change has called for the need to revive the economy and that has been repeated locally as well. There was great concern for the markets towns out of Herefordshire especially with this very short consultation time to try to deduce some confidence of how it may be demonstrated by the administration that measures are in place to ensure the consultation with every resident and shopkeeper is robust with comments having been recorded, considered and addressed with commentary and reasons. The alternative appears to be just forcing the active traffic measures through with the closing of town centers countywide thus adversely affected shopkeepers and independent traders.

## **Response**

I'm happy to address all of Councillor Durkin's concerns and anxieties and those he's relaying on behalf of retailers. So the very first thing to understand is that legislation is not required under this emergency provision. We took the view that we should try and do as much consultation as possible in the shortest period of time as possible. Many authorities have not consulted and that is a matter for them. We are trying to do what we are required to do by government or they will come in and do it for us. So it comes down to that classic tension between trying to do something as quickly as possible in the best way possible against trying to please everyone. Now what I have made very clear to officers who are running this and trying to get it into place as soon as possible is that we will continue to talk to any traders and retailers that come forward and any parish councils that we consulted with and any ones that come forward at this stage. I have been speaking to many shopkeepers in Ledbury and Hereford throughout the last few days looking at what they are saying, specifically seeing what we can change to see if we can come to a compromise and some of those changes have and will be made so it is not a perfect situation. It is incumbent upon us to do this quickly and to make sure that we make the provision ultimately for the safety of people who will be using our streets but I absolutely assure you that we will continue to speak to traders and retailers and anyone else who has concerns.

## **Question 3**

### **Councillor Nigel Shaw, Bromyard and Bringsty Ward**

#### **To: cabinet member, Infrastructure and transport**

We've recently been consulted on ambitious plans to spend the Active Travel Emergency Fund (Covid-19) allocation. Given the initial allocation of £40,000, which I suggest will scarcely cover the consultancy and management charges of BBLP, will the Cabinet member now issue a statement to assure fellow councillors and residents that no funding from his other departmental budgets or council reserves will be diverted to satisfy this costly exercise and that no more planned schemes will be cut from the 2020-21 Annual Plan to cover up his departments inability to balance its budget in the current year? To lose one scheme may be regarded as misfortune, to lose two looks like carelessness, but now three! I refer to Haywood

Lane; Spine Road, Ross and Brierley Way – I suggest even Lady Bracknell had no comprehension of such a calamity.

## **Response**

Thank you Cllr Shaw for your question and the much welcome levity. I seem to remember one of Lady Bracknell most famous lines was, “My nephew, you seem to be displaying signs of triviality” to which the reply came back, On the contrary, Aunt Augusta..I’ve now realised for the first time in my life the importance of being Earnest”. If Cllr Shaw and I were invited to audition to play these parts in a local am-dram production I am sure Cllr Shaw would be a natural shoe in for the role of Ernest – although a bearded Lady Bracknell would be distracting.

In relation to the crux of his question – we are required by legislation to carry out these changes and although, at present none has been identified, any need or desire to contribute to these measures from our transport budgets will be a matter for this administration and the public record.

The delaying of the three schemes you refer to is to ensure there is sufficient funding for the high priority scheme at Symonds Yat. The original budget allocated for the Symonds Yat project was based on a preliminary understanding and design of the scheme. Detailed investigations and design has enabled a more accurate works costs to be estimated and a shortfall has been identified. This work is considered high priority and the road here has been closed for a long period of time. The repair and reopening of the road must be progressed.

This variation of the annual plan is not linked to the delivery of emergency active travel measures that are proposed to facilitate social distancing in public spaces and provide viable alternatives to public transport and avoid excessive use of cars as lockdown restrictions are eased. The allocation of funding of £40,000 will enable a range of measures to be implemented following consultation with stakeholders in Hereford and the market towns and will not be spent solely on consultants’ fees as you suggest.

## **Supplemental question**

I was delighted to read that the annual plan will not be adversely affected by any spending on the emergency travel measures. I earnestly hope too that the loss of four months parking income, that is ring-fenced for the public realm, will also have no injurious effect on the annual plan. To that end can the cabinet member explain whether his department was overfunded in its budget or what economies he is intending to make to cope with this loss of revenue?

## **Response**

Thank you very much and it is a shame Councillor Shaw is not in the room, we could have carried on our Oscar Wilde Appreciation Society. First of all there will not be a loss of four months’ worth the parking income as after being lobbied by parish councils, Herefordshire councillors, including Councillor Durkin in a roundabout way, members of business groups and various other people, we have decided that a short-term boost was something that we were happy to try and provide for the traders and retailers in Herefordshire who are feeling very very anxious at the moment. As Councillor Durkin said and while numbers are still relatively low in terms of usage of the streets and the roads that we decided this would be a way of supporting them a little bit and we’re happy to do that. The second tranche of this measurement will be in relation to offering incentives to stay for longer, slightly on the outskirts of town as what we do not necessarily want (and the reason we have a parking regime) is people coming right into the centre of town, parking while they are shopping for half an hour or so and then leaving. What we would love them to do (but if they have to do that that’s fine) is let them into town and pay a premium. Those who are disabled can still have parking spaces

which, incidentally in relation to what Councillor Durkin said earlier, will still be provided in relation to the Covid-19 emergency travel measures designed for the town centres. So the second part will be a incentivised scheme so the losses will not be great, in fact the losses may actually be reduced or we might even make some money. This relates to the second part of this question because at the moment many of our slightly out of city centre car parks are underutilized, e.g. swimming baths at Ross and other places and therefore we think by offering an incentive to stay for longer on the perimeters of the towns and the city, people will come in and park, will get a good deal and will walk a short distance into town will spend much longer in town spending time in our shops, café, pubs, restaurants, hotels. Obviously obeying all the rules which are in place. Within the second stage of the parking review that was going on in terms of parking charges which will be happening in early next year, we will look to see if we do need to build in a recovery plan but it was a difficult decision as we have parking charges for a reason but I felt that in the circumstances and in replying to the concerns and the fears expressed to me that this was the right thing to do. If Cllr Shaw wants any more information, I'm quite happy for him to ring me directly to discuss it or email me directly, we do not always have to do this through public questions and that information can be in the public domain.

#### **Question 4**

**Councillor Jeremy Milln, Central Ward**

**To: cabinet member, infrastructure and transport**

The past decade has seen a steep decline in the ecological health of our cherished rivers due largely, according to monitoring data, to diffuse phosphate nutrification from intensive stock rearing in the upper catchments. Soil degradation due to poor arable practices in areas prone to flooding is also contributory. 125 intensive poultry units have been approved by Powys since 2015 with another 27 awaiting determination and more in the planning pipeline. Four were approved by officer delegated powers only last week.

Now that we have all read the reports of the 'sickly River Wye' in the local and national press over the past couple of weeks, will Herefordshire Council leaders urge the UK government, through our MPs, to pull together and address this crisis as a matter of the utmost urgency? (It cannot be solved by Herefordshire Council alone!)

#### **Response**

Thank you for your question Cllr Milln and we share the same concerns. As you are aware we have been pressing the Environmental Agency, Natural Resources Wales, Natural England, Powys Council and other bodies to work with us to agree a satisfactory a new and more robust Nutrient Management Plan. The Leader of the Council and I have a meeting scheduled with Leader of Powys Council to discuss all the identified issues relating to the pollution of the Wye and Lugg. I will also arrange a meeting with our MPs to impress upon them our concerns. I have also asked officers to examine our own ability as an authority to influence good water quality, through our planning process and our capital programmes where we are able to influence land use practices. I am happy for members and representatives of the Wye and Usk Foundation and other interested parties to meet with me to discuss in more detail.

#### **Supplemental Question**

I am grateful to the Councillor Harrington for his response and I have no doubt the administration's concern accurately reflects that of the people of Herefordshire and those who have lobbied me in numbers, alarmed by the deteriorating condition of our rivers. Beefing up the Nutrient Management Plan is a welcome step and while it is easy to point the finger at

Powys and its performance with regard to the intensive poultry units it has allowed to proliferate, can I have his assurance that we will use all the tools at our disposal through government and the NGAs, to bring our own house in order by, where necessary, revision of our planning process and by acting against those whose practices damage aquatic environments such as through poor handling of farm waste or soil loss, now that we see, following the February floods, how vulnerable we are in a Climate and Ecological Emergency

### **Response**

Yes and there is much we can still do within our own power and I welcome continued involvement at any stage



<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday, 23 July 2020</b>
<b>Title of report:</b>	<b>Allocation of Pothole and Challenge Fund 2020/2021 grant for highway maintenance.  Reallocation of capital programme budgets for priority flood works.</b>
<b>Report by:</b>	<b>Cabinet member infrastructure and transport</b>

## Classification

Open

## Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 10 (General Exception) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.

## Wards affected

(All Wards);

## Purpose

To approve the allocation of funding to enable priority flood damage repairs and as able works to enhance the resilience of the county's infrastructure.

The Bellwin scheme will not fund all repair needs following flooding in February 2020. With no further funding having been specifically made available by Government for recovery from Storm Dennis, the significant gap between what Bellwin provides and the cost of all necessary repairs

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Further information on the subject of this report is available from  
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must be met from within the capital programme. This report sets out the funding options from across the capital programme and including the allocation of capital funding available following the announcement of Pothole and Challenge Fund allocations for 2020/21.

## **Recommendation(s)**

**That:**

- (a) Cabinet recommend to Council that the £7.674m (Pothole and Challenge Fund 2020/21 grant allocation) be added to the capital programme as a new programme;**
- (b) Subject to the decision taken at Council in regard to the Pothole and Challenge Fund 2020/21 grant allocation, authorisation be given to commit this funding to deliver highway maintenance works in the current financial year, as detailed in paragraph 23 of this report;**
- (c) The director of economy and place be authorised to agree, through the contract governance arrangements, adjustment to the programme and budget allocation in the public realm services contract annual plan to include programmes of work funded by the Pothole and Challenge Fund in 2020/21;**
- (d) Cabinet recommend to Council that the £4.027m (Priority Flood Repair Works) be added to the capital programme as a new programme;**
- (e) Cabinet recommends to Council that priority flood repair works totalling £4.027m, as set out in paragraph 24 of this report, are funded through the use of either extended borrowing (Option 1), the reallocation of existing capital programme budgets (Option 2), or the allocation of the Pothole and Challenge fund (Option 3); or (Option 4) combination thereof, as set out in Appendix 1;**
- (f) subject to the decision taken at Council confirming the changes to the capital programme, the director of economy and place be authorised to procure the priority flood repair works; and**
- (g) In the event that new funds are made available by Government specifically to address the priority flood repair works, then those funds would be added to the Priority Flood Repair Works programme.**

## **Alternative options**

1. In the absence of Government funds specifically to address the impairment in the highway asset as a consequence of Storm Dennis, the £7.674m made available through the pothole and challenge fund in 2020/21 could be directed towards the repair of all high priority flood damage. The balance of the pothole and challenge fund in 2020/21 would then be directed towards highway maintenance and improvement in network resilience. A review of priorities across all flood damage sites and the wider highway asset would determine the high priority flood damage works that will be progressed alongside a programme of highway maintenance funded by the pothole and challenge fund in 2020/21. This option is not recommended as its use in this way will divert much needed funding from the maintenance of the county's highway network. The pothole and challenge funding is needed to put the asset into a resilient (not perfect) condition. If these funds are not invested, as they are intended, in ensuring that our local roads and other highway assets are fit for the future, then deterioration in the condition of the asset will result. The consequently we will see a reduction

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in local productivity, a deterioration in the environment by increased delays, and a less attractive environment for cycling and walking

2. All flood damage repairs are funded from a combination of the pothole and challenge funding received in 2020/21 and from elsewhere in the capital programme. This option would limit the negative impact on the delivery of existing capital programme projects, it is not recommended as insufficient priority would be given to the resilience of the highway asset making it more susceptible to damage as a consequence of future severe weather events.

## Key considerations

3. Storm Dennis hit Herefordshire during the weekend of 15 and 16 February 2020, resulting in significant damage and flooding, from both runoff and river overspill with many of the rivers reaching their highest levels in 200 years. The council successfully mobilised all resources to respond to the event, with the clean-up and recovery work commencing as soon as flooding had subsided with resources focussed on making safe the worst hit areas.
4. Government declared this storm was a major incident and made the Bellwin Scheme available to Herefordshire Council to fund the immediate action taken from 15 February 2020 to 28 March 2020, to safeguard life or property and to prevent suffering or severe inconvenience. The council has submitted £2.528m to the Bellwin Scheme as costs that have been incurred across the public realm that are eligible for funding through this scheme. Government has yet to provide these funds.
5. Of the 139 damage sites were identified across the county, 72 damage sites were cleared and restored to normal use by the 28 March 2020. The scale of the damage meaning that 67 sites could not be fully cleared or repaired by the end of March. Significant works remain to fully clear, investigate and repair all damage sites, including four significant schemes, two on the B4224 near Fownhope where the main highway into the village has resulted in community severance with limited alternative access. The B4399 Holme Lacy Causeway has been returned to use but remains susceptible to storm damage, a permanent solution is required. Instability in the banks of the flood plain to the River Wye that support the A438 at Whitney on Wye has resulted in temporary signal control being put in place, a permanent solution is required here also. The scale of the works that remain across the public realm for delivery beyond 28 March 2020 is estimated to be £9.1m, as the table below.
- 6.

All Flood Damage Works	£
<b>Capital Schemes</b>	
Fownhope Landslip	1,565,000
Fownhope Retaining Wall Collapse	1,000,000
Holme Lacy Causeway	2,000,000
Whitney on Wye Instability	500,000
Various damage Sites	962,047
<b>Sub Total</b>	<b>6,027,047</b>

<b>Revenue Works</b>	
Drainage Network clearance of blockages countywide.	2,850,000
Flood investigation costs (as required by Section 19 of the Flood and Water Management Act)	250,000
<b>Total</b>	<b>9,127,047</b>

7. The B4399 Holme Lacy Causeway referred to above has been returned to use but remains susceptible to storm damage. Whilst a permanent solution is desirable to ensure the flood resilience of this route this scheme could not be progressed to delivery in 2020/21. The remaining high priority capital repair schemes total an estimated £4.027m.
8. On 28 February 2020 the Leader of the Council wrote to the Prime Minister setting out the support that Herefordshire needed as a consequence of Storm Dennis. In that letter, we anticipate the bill for repairing the immediate impact of Storm Dennis on the public realm to be c£10 million, for which we have no provision. There has been an ongoing dialogue with Ministers following that letter. To date no funding has been available from Government specifically for Herefordshire's recovery from Storm Dennis, beyond that for action taken up until 28 March 2020. The Secretary of State for Environment, Food and Rural Affairs has, on 14 July 2020 announced its long term plan to tackle the impact of flooding, including investment of £5.2 billion to create around 2,000 new flood and coastal defences to better protect 336,000 properties in England by 2027, alongside support to help households and businesses get back on their feet more quickly after flooding <https://www.gov.uk/government/news/multi-billion-pound-investment-as-government-unveils-new-long-term-plan-to-tackle-flooding> . However, this too does not appear to identify any funding specifically for Herefordshire's recovery from the impact that Storm Dennis has had on its infrastructure.
9. On 14 May 2020, the Secretary of State for Transport, announced at the Number Ten daily briefing £1.7 billion funding allocated to Combined Authorities and Local Highway Authorities for 2020/21 through the newly created Transport Infrastructure Investment Fund. This Fund which is made up of a number of Department for Transport (DfT) spending programmes but includes the local highways maintenance capital block grant funding (which contains Challenge Fund and the Incentive Element), the integrated transport block funding and the Pothole Fund. The £1.7 billion is not new funding but includes all of elements as set out in the tables within DfT's Road Information Pack for 2020/21 which can be found at the following link and sets out the funding allocated by authority: <https://www.gov.uk/government/publications/roads-funding-information-pack/roads-funding-information-pack> . The funding for Potholes included is the £500m for 2020/21, as announced in the Budget 2020, from the £2.5bn Pothole Fund and £50m from the existing Pothole Action Fund for 2020/21, which is the last year of that Pothole Action Fund. With respect to the Challenge Fund element for 2020/21, Ministers decided that due to the ongoing COVID19 issues and related pressures on highway authorities, the competition for 2020/21 Challenge Fund funding (£100m) would not progress, as such DfT would be allocating this funding by formula to all highway authorities. This approach is intended to allow a focus on COVID19 recovery. In his announcement, the Secretary of State made it clear that in 2020/21 these funds can also be used by authorities to help repair flood damage that some areas of the country may have encountered over winter 2019/20. Whilst a letter is awaited formally confirming this additional funding, it is anticipated that conditions attached will be substantially as those confirmed in a letter already received in regard to

Local Transport Plan (LTP) Capital Grant funding for 2020/21. The sum allocated to Herefordshire from this announcement in the Pothole and Challenge Fund is £7.674m, bringing the total Capital Grant Allocation from DfT for Herefordshire to £19.946m.

10. In addition to the LTP Grant the council's capital programme contains three further funding lines for the maintenance of the public realm in 2020/21. They are: £2m for investment in C and U roads; £2m for investment in infrastructure assets; and £5.5m for highway asset management, though only £1.5m of this is funded from council borrowing, the remainder being conditional on successful bids for external grant funding. The 2020/21 annual plan for public realm services was approved on 29 April 2020 with an overall budget of up to £24.182m; made up of £6.41m of revenue and £17.722m of capital funding. This decision included for the allocation of all LTP grant funding available for the delivery of public realm schemes at 29 April 2020 (prior to the Secretary of State's announcement) and the aforementioned £1.5m of highway asset management funding. A further decision is due to be taken shortly to progress the £4m for investment in C and U roads and infrastructure assets also. This meaning that the Pothole and Challenge Fund (£7.674m) announced on 14 May 2020 is yet to be introduced to the 2020/21 delivery programme.
11. The council holds a revenue reserve of £1.2m as contingency for its response to the impact of severe weather. All capital funds received through the LTP Grant have been invested in the improvement and maintenance, hence resilience, of public realm assets. This along with challenge fund works and substantial investment of the council's own capital, totalling an additional c£30m of capital since 2013. This combined investment has in turn enabled us to make more than 30% savings in public realm revenue budgets, required in response to austerity, whilst also building and maintaining this revenue reserve. This reserve has been utilised to meet the Bellwin Scheme threshold in 2019/20 for Herefordshire of £279,161 (Under the Bellwin Scheme Government pay grant at a rate of 100% of eligible expenditure above this threshold. The council is required to have spent 0.2% of its calculated annual budget on works as eligible for grant. This amount is the authority's "threshold" and applies to the whole financial year, not to each incident within the financial year.) In addition to communicating the bill anticipated for repairing the immediate impact of Storm Dennis, the Leader, in his letter to the Prime Minister, also expressed Herefordshire's needs in respect to the resilience of our infrastructure. With £336 million of accumulated depreciation (this is the value of the works needed to return the highway asset to a good condition throughout) in our highways, the sums received for its maintenance need to increase by c£10m per annum if the County's local roads are to be sustained in a not perfect, but resilient state. The addition of £7.674m for the combined award of the Pothole and Challenge Fund together with the council's own capital will plug this funding gap in 2020/21. Further, in line with the £2.5bn Pothole Fund as announced in the Budget 2020, Herefordshire might reasonably expect to see annual investment levels sustained by an additional c£6m per annum over the coming 4 years. Whilst the funding profile and distribution of this Pothole Fund has yet to be confirmed by DfT, this funding is anticipated to meet 60% of the funding gap going forward beyond 2020/21. If all such funding is available for the maintenance of our highway asset, then this should result in a significant improvement in network resilience.
12. Whilst the use of the Pothole and Challenge fund grant to fund storm damage repair works would enable the priority flood damage works to progress, it will redirect much needed funding from the maintenance of the County's highway network.
13. Any single local highway authority such as Herefordshire Council could not be expected to hold sufficient reserves to deal with the impact of an event such as Storm Dennis, particularly when combined with the impact of all other named storms experienced during the 2019/20 winter period.

14. The addition of £7.674m of the pothole and challenge fund to the capital programme will allow its investment in the highway asset through programmes of work prioritised using our robust asset management approach.
15. With the pothole and challenge fund grant allocated to highways maintenance, funding for high priority flood damage must be found to ensure that work can also be completed.
16. The remaining flood damage comprises of 67 sites that could not be fully cleared or repaired by the end of March 2020. This includes the significant schemes on the B4224 near Fownhope to address the community severance and also a solution to also the instability on the A438 at Whitney on Wye has resulted in temporary signal control being put in place. The B4399 Holme Lacy Causeway referred to above has been returned to use but remains susceptible to storm damage and whilst a permanent solution is desirable to ensure the flood resilience of this route this scheme could not be delivered in 2020/21. As such the remaining high priority repair capital schemes total an estimated £4.027m. These priority storm damage repair works will need to be funded and can be from: either existing capital programme budgets; extending borrowing; the pothole and challenge fund; or a combination of both. The capital programme can be reallocated where no spend or commitments has been incurred on a project, with the project being removed from the programme. Further if a project has been completed and delivered at an underspend, that underspend can be reallocated towards these priority flood repairs. The four funding options are set out in further detail in Appendix 1, which includes a list of capital projects from which funds might be reallocated.

## **Community impact**

17. These highway maintenance and flood repair works will contribute to the county plan ambitions by protecting the environment, safe communities and providing infrastructure that supports our economy. The investment will ensure the network is resilient to the extremes of weather and ensure the safety and availability of the infrastructure for our public and users of Herefordshire's highway network.

## **Equality duty**

18. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
19. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. This decision will have a positive impact on communities, including those that have been impacted by Storm Dennis and the damage that it caused in February 2020.

## Resource implications

20. No funding has been made available by Government specifically to address the impairment in the highway asset as a consequence of Storm Dennis.
21. £7.674m has been made available through the Pothole and Challenge Fund. If these funds were directed towards storm damage repair works then it will consequently curtail the improvement to the resilience of our infrastructure that might have been made in 2020/21.
22. The wider maintenance demand, arising from the effects of weather and usage over time, along with the impact of asset age, must be balanced across all components of the asset against the repair need arising from this single storm event. Whilst we will have to address all damage to the public realm over time, provided sites are safe, full repair may be delayed if other works must take priority. Similarly needs must be balanced across the capital programme.
23. The addition of £7.674m of the pothole and challenge fund to the capital programme will allow investment in the existing highway asset in priorities established using our robust asset management approach as follows:

<b>Programmes</b>		
Carriageway Works	£	2,604,000
Structures and Stability	£	3,160,000
Footways & Cycleway	£	400,000
Countywide Drainage Improvements	£	760,000
Signal, Roadmaking, Signs & Safety Barriers	£	750,000
<b>Total</b>	<b>£</b>	<b>7,674,000</b>

24. The estimated costs of the priority capital flood repairs excluding the Holme Lacy Causeway are as follows:

<b>Schemes</b>		
Fownhope Landslip	£	1,565,000
Fownhope Retaining Wall Collapse	£	1,000,000
Whitney on Wye Instability	£	500,000
Various damage Sites	£	962,000
<b>Total</b>	<b>£</b>	<b>4,027,000</b>

25. As a consequence of such reallocation the capital programme would be adjusted to include the following alongside other agreed adjustments:

Capital cost of project	2020/2021	2021/22	2022/23	Future Years	Total
Highway Maintenance Works (Paragraph 23 above)	7,674	0	0	0	7,674
Priority Flood Works (Paragraph 24 above)	4,027	0	0	0	4,027
<b>TOTAL</b>	<b>11,701</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11,701</b>

Funding streams	2020/2021	2021/22	2022/23	Future Years	Total
	£'000	£'000	£'000	£'000	£'000
Pothole Challenge Fund Grant 2020/21	7,674	TBC	TBC	TBC	7,674
Reallocated Capital Programme or extended borrowing	4,027	0	0	0	4,027
<b>TOTAL</b>	<b>11,701</b>	<b>TBC</b>	<b>TBC</b>	<b>TBC</b>	<b>11,701</b>

26. Further, as part of its recommendations to council, cabinet might consider the removal of £7.25m from the current Highways Asset Management capital budget £7.25m as approved at Council in February 2019. This £7.25m was dependent on a successful challenge fund bid and included a £1m corporately funded borrowing as match from the council to support that bid. As challenge fund bids have been suspended, it seems sensible to now remove this budget from the capital programme, allowing any future submissions to be added when they are made. This will release £1m of funded borrowing that can be used in line with the decision taken at Council.
27. The current capital forecast spend in 2020/21 at £66.678m is less than the capital budget of £75.042m, this would permit a decision to be taken to reallocate borrowing earmarked from a capital budget forecasting an underspend to fund the £4.027m flood repair works. This would mean that the £4.027m would be funded from borrowing and the borrowing requirement in 2020/21 would not change. However the capital budget reduced would need to be revisited to determine if a bid is required to replenish this reduction in the 2021/22 budget setting process.
28. To increase the capital budget funded from borrowing by £1.477m. This represents the £4.027m flood repair works cost less the reduced capital budget on the completed Hillside scheme of £2.550m. The cost of repaying this additional borrowing at £0.090m pa will require funding from future years revenue budget.
29. If further funding for the repair of damage as a consequence of Storm Dennis is forthcoming from Government, then those funds can be directed to meet the costs incurred in the delivery of the priority flood damage works, consequently investment can be reinstated across the capital programme, subject to the appropriate governance.

## Legal implications

30. The council has significant responsibilities under the Highways Act 1980 and other related legislation to ensure that the highways and the public realm more generally is maintained.
31. The public realm services contract with Balfour Beatty Living Places (BBLP), which was put in place through a competitively tendered process and the council will ensure its duty to secure best value is met through scrutiny of the cost and quality of the works commissioned with these funds. All works highway maintenance and priority flood repair work needed are in the scope of the public realm services contract as part of its core services.

## Risk management

32. Funding all priority highway repairs, including those needed as a consequence of Storm Dennis, will ensure that the council is meeting its duty to maintain the highway network as section 41 of the Highways Act.
33. In all cases, the alternative to the use of the public realm services contract is to progress to procure some or all of the works and services required through open tender or the use of a suitable framework agreement. The various work packages would need to be developed as part of the review of priorities. All procurement must accord with the contract procedure rules and the procurement process followed will depend on the approach taken to work packages.
34. If works were are taken to the market as a single work package and this value of work exceeds the EU threshold of £4,733,252 for works contracts and an EU compliant procurement process will have to be followed. If the work packages are split, it is almost certainly the case that all packages will exceed £75k in value, as such open tendering procedures must be followed. The table below sets out the likely timeline for procurement.

<b>Procurement Actions</b>	<b>Time (weeks)</b>
Preparation and approval of tender documentation	4
OJEU Publication	0.5
Issue tender notice and allow time for tender submission	6
Evaluation Process	4
Bidders notified and standstill period	2
Decision making process	2
Execute the Contract	1
<b>Total</b>	<b>19.5</b>

35. Alternatively, a suitable framework agreement might be used. If this approach were taken works can be procured using a compliantly let framework agreement. Such agreements allow the client to invite tenders for contracts on a call off basis as and when required. The

framework contract documents will define the scope and delivery locations for the works or services to be delivered during its term. Each framework will have set rules for its use and processes, which must be adhered to, when undertaking call-offs and further competitions. There would still be the need to prepare the tender documentation and call-off contracts, and allow sufficient time for bidders to respond. It is likely that the timeframe for procurement could only reduce by 3-4 weeks from that for an open tender process.

## **Consultees**

36. Political groups have been consulted via email correspondence to all members on 7 July 2020 asking them to advise group leaders of their comments by 13 July 2020 for response by political group's by 14 July 2020. No comments or objections have been received.

## **Appendices**

Appendix 1 - Options for funding £4.027m of Priority Flood Works from the Capital Programme at July 2020

## **Background papers**

None identified



**Appendix 1 - Options for funding £4.027m of Priority Flood Works from the Capital Programme at July 2020**

**Option 1  
Extend borrowing**

Scheme Name	2020/21	2021/22	2022/23	2023/24	Total				
	Total Budget	Total Budget	Total Budget	Total Budget	Scheme Budget	Capital receipts	Grant	Prudential borrowing	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Priority Flood Works	4,027	0	0		4,027	2,550		1,477	4,027
	<b>4,027</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,027</b>	<b>2,550</b>		<b>1,477</b>	<b>4,027</b>

The current capital forecast spend in 2020/21 at £66.678m is less than the capital budget of £75.042m, this would permit a decision to be taken to reallocate borrowing earmarked from a capital budget forecasting an underspend to fund the £4.027m flood repair works. This would mean that the £4.027m would be funded from borrowing and the borrowing requirement in 2020/21 would not change. However the capital budget reduced would need to be revisited to determine if a bid is required to replenish this reduction in the 2021/22 budget setting process. To increase the capital budget funded from borrowing by £1.477m. This represents the £4.027m flood repair works cost less the reduced capital budget on the completed Hillside scheme of £2.550m. The cost of repaying this additional borrowing at £0.090m pa will require funding from future years revenue budget.

## Option 2

### Reallocate £4.027m from existing projects

Projects below have been included where no spend or commitments have been incurred and the project could be removed. Or the project completed and delivered an underspend.

Scheme Name	2020/21	2021/22	2022/23	2023/24	Total				
	Total Budget	Total Budget	Total Budget	Total Budget	Scheme Budget	Capital receipts	Grant	Prudential borrowing	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Hereford City Centre Improvements (HCCI)	1,000	3,000	1,500		5,500			5,500	5,500
Hereford ATMs and Super Cycle Highway	1,000	0	0		1,000			1,000	1,000
Investment in C & U Roads	2,000	0	0		2,000			2,000	2,000
Investment in Infrastructure Assets	2,000	0	0		2,000			2,000	2,000
Hereford Library	211	0	0		211			211	211
Car Park Re-Surfacing	115	0	0		115			115	115
Electronic Document Management Storage	380	0	0		380			380	380
Children centre changes	116	0	0		116			116	116
Peterchurch Area School Investment	300	7,353	3,193		10,846	5,658		5,188	10,846
Preliminary works to inform key investment need throughout the county (schools)	986	0	0		986			986	986
Highways Asset Management	4,000	3,250	0		7,250		6,250	1,000	7,250
Orleton Primary	300	0	0		300			300	300
Super Hubs	200	1,800	0		2,000			2,000	2,000
Private sector housing improvements	199	0	0		199	199			199
	<b>12,807</b>	<b>15,403</b>	<b>4,693</b>	<b>0</b>	<b>32,903</b>	<b>5,857</b>		<b>20,796</b>	<b>32,903</b>

The below projects have no spend or commitments but funded by grant or ROI so no funding to reallocate

Scheme Name	2020/21	2021/22	2020/21	2023/24	Total				
	Total Budget	Total Budget	Total Budget	Total Budget	Scheme Budget	Capital receipts	Grant	Prudential borrowing	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Passenger Transport Fleet (Electric)	0	7,800	15,600	15,600	39,000		35,000	4,000	39,000
Employment Land & Incubation Space in Market Towns	0	5,052	3,066	5,513	13,631	4,020	2,053	7,558	13,631
Leominster Heritage Action Zone	295	841	2,664		3,800	1,800	2,000		3,800
Leisure Centres	368	0	0		368			368	368
Solar Photovoltaic Panels	245	1,286	0		1,531			1,531	1,531
Carehome & Extra Care Development	250	669	13,081		14,000	6,081	451	7,468	14,000
Technology Enabled Communities	1,000	500	0		1,500		1,500		1,500
	<b>2,158</b>	<b>16,148</b>	<b>34,411</b>	<b>21,113</b>	<b>73,830</b>	<b>11,901</b>	<b>41,004</b>	<b>20,926</b>	<b>73,830</b>

The below projects have spend or commitments but the project could be removed to release funding.

Scheme Name	2020/21	2021/22	2020/21	2023/24	Total				
	Total Budget	Total Budget	Total Budget	Total Budget	Scheme Budget	Capital receipts	Grant	Prudential borrowing	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Ross Enterprise Park (Model Farm)	1,000	5,786	0	0	6,786	3,251		3,535	6,786
Empty Property Investment & Development	1,000	752	300		2,052			2,052	2,052
	<b>2,000</b>	<b>6,538</b>	<b>300</b>	<b>0</b>	<b>8,839</b>	<b>3,251</b>	<b>0</b>	<b>5,587</b>	<b>8,839</b>

Projects have completed
Funded from return on investment
Planned to have future capital receipts to replenish reserve

**Option 3**  
**Use of the Pothole and Challenge Fund**

Scheme Name	2020/21	2021/22	2022/23	2023/24	Total				
	Total Budget	Total Budget	Total Budget	Total Budget	Scheme Budget	Capital receipts	Grant	Prudential borrowing	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Priority Flood Works	4,027	0	0	0	4,027		4,027		4,027
Pothole and Challenge Fund works	3,049	0	0	0	3,049		3,049		3,049
	<b>7,076</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,076</b>	<b>0</b>	<b>7,076</b>	<b>0</b>	<b>7,076</b>

**Option 4**  
**A combination of any of the above Options**



<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday 23 July 2020</b>
<b>Title of report:</b>	<b>Better Ways of Working Revised Implementation</b>
<b>Report by:</b>	<b>Cabinet member commissioning, procurement and assets</b>

## Classification

Open

## Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## Wards affected

(All Wards);

## Purpose

The report is to review and recommend further delivery of the "better ways of working" (BWOW) initiative that enables employees to work flexibly and to consolidate use of premises. This decision reflects on the impact and implications of Covid-19 on the plans that were set out and agreed by Cabinet on [27 February 2020](#).

The report specifically relates to the future occupancy of the Elgar House offices and the Nelson House building with a focus on Plough Lane as the key office location, along with maximising the

potential of home working and use of multi-agency offices in the market towns. The report reviews the required financial investment and associated savings, along with work practices that will enable effective use of workspace in the long and short term.

A key intention of BWOW is to reflect contemporary work practices that enable adaptable and flexible working arrangements that supports the workforce, aids staff morale and increases productivity. The proposed approach to BWOW also supports the council's ambitions to reduce carbon emissions with a decreased number of sites using utilities and staff having less travel to work.

The recommendations are in place to approve the revised BWOW proposals. Particularly to give notice on the Elgar House lease in time to meet the break clause otherwise the tenancy would continue until July 2023.

## **Recommendation(s)**

**That:**

- (a) based on an increase of home working, notice is served to terminate the lease of Elgar House by activating break clause making a base budget saving of £205k and disposing of the Old Priory in Leominster creating a base budget saving of £90k;**
- (b) Disposal of other sites in Hereford when operationally appropriate covering 1a, 8 and 10 St Owen's Street and Union Street offices creating a combined base budget saving of £100k with delegated authority to assistant director, technical services in consultation with the cabinet member for commissioning, procurement and assets;**
- (c) the timescale to serve notice on Nelson House is delegated to assistant director, technical services in consultation with the cabinet member for commissioning, procurement and assets;**
- (d) base budget of £60k is realigned from property services site running costs to cover annual revenue expenditure associated with the new model of working at Plough Lane;**
- (e) the Ryefield Centre in Ross on Wye is retained as a council base in the south of the county; and**
- (f) revised approved capital spend for BWOW of up to £850k based on:**
  - reconfiguration and improvement works at the Ryefield Centre up to the value of £500k in consultation with the cabinet member for commissioning, procurement and assets;**
  - allocation of up to £350k to deliver the better ways of working project through delegated authority to the assistant director corporate support in consultation with the cabinet member for commissioning, procurement and assets.**

## **Alternative options**

1. That the lease for Elgar House continues. This is not recommended as there is a window of opportunity to serve notice in August 2020 to break the lease in February 2021 – if not broken at that point it will mean a further two years of lease costs. With the demonstration

that home working is possible, less office space is needed creating a saving as well as an optimal way of working for the majority of employees and reducing the council's carbon footprint.

2. In the cabinet report of February 2020 entitled "Better Ways of Working Implementation" the recommendation was that notice is served to vacate the Nelson House building from 30 September 2020. This timescale may still be relevant, however the recommendation in this report gives flexibility as to when the office is vacated – with a three month notice period required. This flexibility will give time (if needed) to understand the impact on vacating Elgar House. The risk is that notice could be served on the council terminating the lease of Nelson House.
3. A decision was made on [12 March 2018](#) to decommission the Ryefield Centre in Ross-on-Wye. As an alternative option this decision could still proceed creating a revenue saving and income from the sale of the property. However, within the new proposals the Ryefield Centre would become a strategically located base in the south of the county with extended office use as an MAO and meeting / collaboration space. The Ryefield centre costs in the region of £60k per annum to operate therefore to be viable the centre would need to share costs with another organisation or offset costs with a range of services using the site. Opportunities to share the building with another public sector organisation is being explored through the One Public Estate programme.
4. The spend on BWOW has been reviewed meaning less spend on the original items (such as furniture) and redirect to improvements at Ryefield Centre.

## Key considerations

### Background

5. Cabinet made the decision on 27 February 2020 that proposals for BWOW would be implemented with reconfigured Plough Lane offices to accommodate staff from Nelson House with the lease of that site ceasing as of September 2020. However as a result of the global pandemic the council has had to rapidly change its working practices to ensure staff and public safety.
6. A key change was the majority of staff working from home. A minimum number of sites remained open for staff who could not work from home because of access to broadband network or due to personal circumstances. The council's IT network proved effective in supporting home working though not designed for such a vast number of people accessing the VPN (virtual private network). Fortunately the council was in a good place to increase homeworking with already instigated activity to support BWOW through replacement of desktop PCs with laptops, using the phone system through VPN, escalation in conference calling and promoting a paper-light approach.
7. Employees have temporarily needed to work from home due to Covid 19 safety concerns. This has proved to be a viable longer term solution supported with the ability for team and collaborative working. A staff survey conducted in June 2020 showed that 83% of staff responded positively to the statement "after Covid-19 I would like to work at home permanently for part of the week" (from a response of 52% of the workforce). Home working has a number of benefits for the organisation and the individual including less travel, work/home life balance, uninterrupted work and reduced cost in operating sites.
8. However, it is to note that not all individuals suit home working due to personal preference or working conditions (e.g. limited working space at home; disruptions). Also, though the

county currently has 95% of premises with access to broadband speeds of over 10Mbps (speeds needed to conduct office work) and 91% at superfast speeds ([Broadband Strategy](#)) – there are some employees who are not able or willing to cover the cost to connect to broadband. Also some teams need or benefit from face-to-face interaction; or need spaces to deal with emergency contact with the public e.g. social workers. This is taken into consideration in the proposals.

9. The mitigation taken by the council in response to Covid-19 was first and foremost for staff to work from home. Also to make the Plough Lane office Covid Secure based on the Government guidelines along with additional social distance and hygiene measures the council put in place. MAOs (multi-agency-offices) in Leominster, Ledbury and Ross remained open following Covid Secure requirements; along with some buildings that needed to be open to manage the premises or the content within them (e.g. historic objects and archive) or continued requirement to serve the public e.g. registrars, coroner, crematorium.
10. At the Plough Lane office designated spaces were allocated to individuals within directorates who declared they needed to have an office base, as well as bookable desks for adhoc use and meeting rooms. The number of desks reduced to c200 based on the social distance measures of 2 meters; and can easily be reconfigured to c400 desks at the relaxation of social distancing rules and potentially to 500 desks post Covid.
11. Putting aside staff who work from dedicated sites (libraries, MRLC, HARC, Blueschool House, children centres, the Town Hall, Crematorium) there are 1,105 staff who may require a desk at some point during their working day considering that this includes employees who will be out on visits.

### **The proposal**

12. Now that staff have shown that working from home is viable the proposal is for this to be the basis of a better ways of working now and in the long term, in effect the default way of working – this reflects the approach of other councils and organisations across the country. This to be counterbalanced by officers being able to work in the office 1 or 2 days out of 5 to support collaborative working, use meeting space and team allocation for those services who need an office base. The proposition will be presented to Employment Panel in August 2020.
13. Based on a future state post-covid or when distancing rules allow the proposal is to have a minimum of 400 desks at Plough Lane offices. This is supported by MAOs in Leominster, Ross, Ledbury, Bromyard, Kington and smaller MAOs in Hereford (at the library as part of agreed works), HARC (Hereford Archive and Record Centre) and MRLC (Museum Resource and Learning Centre). Work to expand the capacity of Leominster MAO has started (creating 46 work stations – currently 21) along with plans to expand Ledbury MAO (creating 19 desk spaces – currently 5).
14. Ross currently has an MAO with 9 spaces at the Old Chapel and some meeting room space in the Library. The proposal is to rethink the decommissioning of the Ryefield Centre to create an MAO facility to match the provision in Leominster – creating significant sites north and south of the county. However, one of the reasons for decommissioning the site was its significant cost to operate (£60k per annum), however a public sector partner is interested in becoming a tenant and this could work well. The Old Chapel facility in Ross-on-Wye to remain as it includes children centre activities linked to the library that caters for a range of community activities.



15. Work space is retained in the market towns for several reasons – it reduces staff requirement for travel; creates a council presence in the market towns; and supports the localised economies.
16. Notice is served to terminate the lease of Elgar House by activating the break clause in August 2020. Notice is also given on the Nelson House building but at a time suitable to the council as the new model of working is instigated during the Covid emergency and then post Covid.
17. The Old Priory in Leominster is decommissioned and declared surplus to requirements with the intention to dispose of the council’s interest in the property – the property has a backlog maintenance cost of £380k and disposal of the freehold will create an annual saving of £90k. This could be subject to a community asset transfer depending on interest or sold on the open market creating a capital receipt for the council.
18. That premises in Hereford of 1a, 8 and 10 St Owen’s Street and Union Street offices are considered for disposal in a timescale that fits with the operation of services that may need redesign – the services that use these sites are elections, environmental health and trading standards, children and families. Combined their annual running costs are £100k.
19. Related to the proposals is the council’s asset management plan. A cabinet decision of [11 February 2016](#) agreed the Corporate Property Strategy 2016-2020. This report and related recommendations reflects two intentions of that strategy “to support the efficient, integrated delivery of public services across the county by providing modern, fit for purpose buildings, shared by public agencies”. In particular it supports the objective “to enable service integration and agile working with modern, fit for purpose workspaces supporting higher productivity”. This strategy is due for renewal later this year but will propose continued goals of agile working, integration and efficient use of workspace.
20. The proposal therefore aims to make the most of sites within the council’s ownership, maximising the asset. The costs of running the sites in question are as below:

Site	Cost £’000 per annum	Tenure
Plough Lane Office	£541*	Freehold
Elgar House	205	Leasehold
Nelson House	155	Leasehold
Ryefield Centre	60	Freehold
Old Priory	90	Freehold
1a St Owen’s Street	24	Freehold
Union Street Offices	41	Freehold
8 St Owen’s Street	35	Freehold

\*Cost off-set by contribution from Hoople and other tenants

21. Based on the February 2020 cabinet report some aspects of BWOW have been implemented and actually advanced due to Covid-19. This includes working paper light as people have not had access to photocopiers, increased home working, clear out of un-necessary storage reducing the cupboard space to make larger walkways and more effective cleaning. The only purchases made is of lockers and increased expenditure on headsets as the tender for furniture was halted.

## Community impact

22. The key impact of the decision is a revenue saving that can in turn have a positive effect in mitigating savings from direct service delivery. A consideration is how some services need to interact with service users – particularly from staff previously based at The Nelson House and Elgar House.
23. Summary of sustainability impacts:
- Reduce energy consumption by reducing use of buildings
  - Re-use and recycle furniture from the different sites
  - Tendering suppliers outline their proposals for sustainability as part of the procurement
  - Greater flexible working including using MAOs and home working to reduce travel
  - Recycle zones created to foster greater consideration of waste and optimise the recycling of material
  - Design features to reduce paper consumption and “paper-light” campaign including making the most of technology.

## Equality duty

24. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to -
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
25. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.
26. The principles of BWOW relate to staff behaviours ensuring agile and flexible working, and consideration has been given to the impact on disabled employees through the council’s commitment to reasonable adjustment. It is considered that the proposals will have a positive impact on our equality duty as it will support the council in advancing equality of opportunity for those employees that share a relevant protected characteristic.

Flexible working can support employees with different types of care responsibilities. In particular a positive effect is through supporting parents with child care and support activity by the council to address the gender pay gap in offering flexible working in providing an incentive for women to work for the organisation and progress their careers with the council.

## Resource implications

27. The decision by Cabinet in February 2020 agreed £850k expenditure on BWOW implementation off-set over time by savings on building costs. The expenditure has changed based on the following:

- Works and resources at Plough Lane – including reconfigure spaces at Plough Lane; reduced requirement for office equipment and furniture; IT equipment over and above already in plan, IT system for booking, some improvement works at MAOs (if not already in plan).
- Refurbishment works at Ryefield Centre to make the spaces suitable and fit for purpose and viable for the tenant. This to include repair works.

Capital costs (1)	2020/21	2021/22	future years	total
Plough Lane costs	150,000	200,000	0	350,000
Ryefield Centre	200,000	300,000	0	500,000
total	350,000	500,000	0	850,000

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2020/21	2021/22	future years	total
Corporate funded borrowing (2)	350,000	500,000	0	850,000
total	350,000	500,000	0	850,000

Revenue budget (3)	2020/21	2021/22	2022/23	total
Elgar House saving	34,000	205,000	205,000	
Nelson House Revenue saving		155,000	155,000	
The Old Priory, Leominster saving	15,000	90,000	90,000	
Base budget additional cost (4)		-60,000		
Total saving	49,000	390,000	450,000	889,000

### Budget notes:

1. Capital cost between years may vary depending on timing of works
2. Spend is up to amounts - actual expenditure will be recorded via record of officer decision
3. Payback based on savings by April 2023; does not include revenue income from tenant for Ryefield Centre as a positive budget position; with a negative position based on any dilapidation costs as a result of the existing sites (known at point of exit); costs are based on savings for Elgar House and Old Priory from February 2021 and other savings from April 2021 though has the potential to be brought forward.
4. Added sum to the base budget realigned from savings in property services to facilities management as up to amount to cover investment needed in IT systems / equipment, maintenance agreements.

## Legal implications

28. Herefordshire Council took an assignment of the lease in respect of Nelson House on the 1 August 2013. The lease had an expiry date of the 31 August 2016 and the council have held over since that date. The council can leave the premises upon service of three months' notice.
29. The council also has a lease covering Elgar House which has a break option which is effective in February 2021.

## Risk management

30. The following risks apply to the decision:

Risk / opportunity	Mitigation
That cost of building work increase based on estimate.	That building work is optimised and contingency is built into the quote. If an increase in expenditure, a further formal decision making process will be followed.
That people do not adapt to better ways of working; and staff in key roles leave as do not like working from home; managing staff performance based at home.	Staff supported to adapt through the management structure and accommodation made in relation to service requirements. Accept that staff may leave but recognise that majority of councils and other organisations will also operate working from home.
Increase in workforce not accommodated within new arrangements.	Recruit based on an understanding of working from home.
The high cost of the landlords' dilapidation claim in respect of the Nelson House and Elgar House building lease termination	Negotiate settlement pursued with landlords in accordance with the lease.
Not agreed at employment panel or with unions in terms of working from home on a contracted basis.	Reasonable and negotiated process.
The number of staff needing to work from an office increases.	To retain Nelson House until the full numbers are understood – however to date strong demonstration that a good proportion are willing to work from home all or part of the time.
That reliance on one key site (Plough Lane) creates vulnerability if there is a problem with the premises – e.g. utility outage or IT network connection is lost.	Retain and increase capacity at the MAOs and utilise sites such as libraries, Blueschool House, Hereford Archive and Resource Centre. This is built into IT, property, services and facilities management continuity plans.
The lease of Nelson House expired on the 31 August 2016 and the council has been holding over on a statutory tenancy since	This is an acceptable risk considering the market for leased premises will decline.

that date. Three months' notice to terminate the tenancy can be served by the tenant (the council), but the landlord also has a similar right which presents a risk to the council if no plan is in place regarding the future accommodation of the staff based within the property.	
Additional revenue costs not accounted for.	In the new model of working there may be financial implications not taken into account having an impact on services and budgets, e.g. mileage costs, staff turn-over not willing/able to work differently. This could lead to change in HR policy, terms and conditions of employment to address some of the issues.

## Consultees

31. A staff survey conducted in June 2020 had almost 700 responses. Relate points to this report found:

Question	Agree or strongly agree
I have found working from home easy	76%
My manager focuses on achievement and outcomes when I WFH	81%
I am more or as productive WFH	86%
I feel supported by my employer when WFH	81%
After Covid-19 I would like to work at home permanently for part of the week	83%

32. Member consultation was released on 2 July 2020 and the following comments received:

Comments from the True Independents group:

- Concerns about these proposals and suggest a trial period with a review in a few months time.

Response: A delayed decision on terminating the lease at Elgar House will mean keeping the site for another two years when potentially not needed. In the recommendation Nelson House is retained for a longer period to ensure the numbers of people having to work from an office can be accommodated in the Plough Lane offices and MAOs – this in effect will allow a transition and trial period up until January 2021.

Comments from the Green group:

- Clearly BWOW has had to be rethought in light of Covid and we agree that home-working offers many advantages to many staff and to the organisation as a whole.

- We think there should be a check on minimum standards / conditions with regard to homeworking to ensure that staff have safe working conditions in terms of equipment, posture etc.
- We assume the large desks at Plough Lane will now be quite useful in terms of assisting spacing?
- We strongly support staff teams being able to meet regularly face to face – e.g. monthly. This is likely to be particularly important for new joiners who need to meet their colleagues.
- We suggest that we therefore either need to leave some quite large areas at our own offices where meetings in person can safely take place, or routinely budget for hiring spaces like village halls for such meetings to take place. That would be financially positive for those buildings - and they are often high-ceilinged, which could help with airiness.
- We support the proposal to vacate Elgar and Nelson (and potentially other properties) and concentrate Council operations in Plough Lane, so long as this can be done without adversely affecting performance or staff morale.
- We understand that in the case of the Old Priory in Leominster there is community interest in using this building, so we would support a community asset transfer being explored before an open market sale. We would support the same approach elsewhere, where there is community interest.
- We think that keeping MAOs linked to market town offices (and nursery care) is an excellent option as people really value their market town services (libraries etc). Providing ‘work hubs’ in the market towns (and potentially in e.g. larger villages) is something we strongly support.
- It would be helpful to have a list of all our ‘hubs’.

Response: As part of the requirement to work from home due to Covid-19 all employees need to complete a “Personal Staff risk assessment”, a “Remote Workers Self Assessment” and the manager conduct a workplace discussion when a member of staff returns to normal duties after deployment or return to workplace. As part of normal process employees are required to complete a self-assessment for displaced screen equipment when arrangements change along with an office risk assessment. The requirements have been promoted and distributed through the organisation.

The large desks at Plough Lane have proved effective in supporting social distancing – this was something that was not anticipated pre-Covid.

The meeting spaces at Plough Lane have been reconfigured to allow for essential meetings or collaborative working. However, by default video conference is the default method of meeting to reduce the risk of spreading Covid 19. Longer term the meeting spaces can be enhanced for more collaborative meetings which are more difficult to conduct via video conferencing.

A list of sites is in appendix one (full list of sites is published on the council [website](#)). The MAOs / hubs are in Leominster, Ross, Ledbury, Kington, Bromyard, in Hereford at HARC and MRLC. The idea of work hubs can be explored based on need and cost.

The council has a process for community interest in sites and this can be applied to The Old Priory.

## Appendices

Appendix 1 – key sites

### Background papers

None

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
HARC	Hereford Archive and Record Centre
MRLC	Museum Resource and Learning Centre
MAO	Multi Agency Office
VPN	Virtual Private Network





Appendix 1 list of key sites  
[Further information](#)

Sites	Notes
Plough Lane (Hereford)	Included in recommendations
Nelson Building (Hereford)	Included in recommendations
Elgar House (Hereford)	Included in recommendations
8 St Owen Street (Hereford)	Included in recommendations
Blueschool House (Hereford)	Public use site / Job Centre Plus
Town Hall (Hereford)	Registrars, Coroners, City Council
The Old Priory (Leominster)	Included in recommendations
Shirehall (Hereford)	Offices, hall and courts
Herefordshire Archives and Records Centre (Hereford)	Public use site, store and MAO
Master's House (Ledbury)	Public use site, Library, MAO, and community use
South Meadow (Hereford)	Children and Families
Museum Resource & Learning Centre (Hereford)	Store, MAO and public site
1a St Owens Street (Hereford)	Children and Families
Merchant House (Hereford)	Modern Record Unit
Union Street office (Hereford)	Included in recommendations
Hereford Library, Museum & Art Gallery	Public use site
Ryefield Centre (Ross-on-Wye)	Included in recommendations
Leominster Library	Public use site
Leominster MAO and Children's Centre	Public use site and MAO
Crematorium Office (Hereford)	Public use site
Widemarsh Children's Centre (Hereford)	Public use site
Ross-on-Wye Library	Public use site / Job Centre Plus and Children's Centre
Ledbury Children's Centre	Public use site
Franklin House (Hereford)	Currently leased
Canal Centre (Hereford)	Currently leased
Harold Street Storage Building (Hereford)	Currently leased
Black and White House Museum (Hereford)	Public use site
Old Chapel, Ross (owed by Ross Town Council)	Children's Centre and MAO
Hillside House (Hereford)	Temporary Residential care home
10 St Owens Street (Hereford)	Elections Service / Parking
Bromyard MAO	Part of Hope Centre
Broadlands (Hereford)	Children's Centre
Churchill House (Hereford)	Used by Hoople





<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday 23 July 2020</b>
<b>Title of report:</b>	<b>Heritage Action Zone - Leominster</b>
<b>Report by:</b>	<b>Cabinet member environment, economy and skills</b>

## Classification

Open

## Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

## Wards affected

Leominster East; Leominster North & Rural; Leominster South; Leominster West;

## Purpose

To approve expenditure and deliver activities as detailed in the Leominster Heritage Action Zone Delivery Plan.

## Recommendation(s)

That:

- (a) **The council enters into a funding agreement with The Historic Buildings and Monuments Commission for England (HBMCE) to deliver the Heritage Action Zone Programme in Leominster as per the Delivery Plan with an anticipated total budget of**

**£3.6m from the capital programme (£1.8 of which is match funded) and £1.8m from HBMCE;**

- (b) The Director of Economy and Place, in consultation with Section 151 Officer, be authorised to take all operational decisions necessary to secure the funding agreement between the Herefordshire Council and The Historic Buildings and Monuments Commission for England;**
- (c) The Director of Economy and Place be authorised to sign all sub grant agreements (for the building grants) to grant recipients and take day to day operational decisions, including any variations to any sub grant agreements;**
- (d) The Director for Economy and Place, in consultation with Section 151 Officer, and approved by Cabinet Member for Economy, Environment and skills and Cabinet Member for Infrastructure and Transport, be authorised to sign any programme changes which may include identifying new projects in light of Covid19;**
- (e) Section 151 Officer agrees that the Council provide forward funding grant payments to grant recipients up to a cumulative maximum of £500k over any quarterly period, pending drawn down of funds from the Historic Buildings and Monuments Commission for England.**

## **Alternative options**

1. Do nothing – the council is not statutorily obliged to deliver this programme. Not delivering the programme would mean that the council would not have to incur up to £1.8m of capital expenditure to match fund the programme activities. This option has been discounted as it would mean the council would not receive £1.8m of external funding to deliver regeneration activity within the county that will bring economic benefit and investment. There are no alternative sources of funding to deliver this programme and deliver this activity.
2. Reject the grant off from HBMCE and operate the scheme using only the Herefordshire Council match funding allocation. A capital funding budget allocation was approved at Council to use £1.8m council match should a successful Delivery Plan be agreed. £1.65m of this match is to be used for public realm and road improvements in Leominster town centre, including Corn Square, which are complementary to the other projects within the Heritage Action Zone Delivery Plan.
3. Operate the scheme but not forward fund grant claims from secondary grant recipients ahead of receiving monies from HBMCE. This approach has been ruled out with previous grant schemes in order to minimise the financial risk to applicants. When applying for grants, the capital items/works only commence once the grant has been offered. Applicants have to fund the costs themselves prior to having any grant monies reimbursed. The majority of secondary grant applicants cannot afford to wait before having the grant monies reimbursed, and is often the reason they are not able to carry out works without the support of grant funding.

## **Key considerations**

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Further information on the subject of this report is available from  
Nadine Kinsey, email: [nkinsey@herefordshire.gov.uk](mailto:nkinsey@herefordshire.gov.uk)

4. The High Streets Heritage Action Zones (HAZ) Programme is a nationwide initiative designed to secure lasting improvements to historic high streets for communities who use them. The scheme is funded by the Ministry of Housing, Communities and Local Government and run by Historic England.
5. Herefordshire Council has worked closely with Leominster Town Council in the development and submission of the Delivery Plan which forms the basis of the High Streets Action Zone for Leominster. The expression of interest included a request for £2m from Historic England, however, due to the high number of applications received, the final award to Leominster was £1.8m.
6. The Programme has at its goal making the high street a more attractive, engaging a vibrant place for people to live, work and spend time. The HAZ will achieve this through three complementary strands: (a) undertaking physical works to buildings, including repair, reinstating lost features, supporting the conversion of historic buildings for new uses and improvement of shared spaces (b) facilitating cultural activities and events celebrating the history of the high street and its importance to local communities over the generations and, crucially, (c) giving local communities a key role in deciding what improvements they would to see on their high street and what sort of place they want it to be.
7. Whilst high streets were once the focus for local commerce and for local communities, where businesses congregated and thrived, they are now facing significant challenges due to out of town retail parks, online shopping and most recently, complete closure due to Covid19.
8. In response to all but the latter challenge, HAZ is responding to these pressures by making high streets more successful by using heritage as a catalyst for wider economic and social regeneration.
9. Interventions eligible within the programme include repair and restoration of historic buildings and vacant or underutilised heritage and public realm assets, addressing changing consumer demands by using local historic character to differentiate the high street from competitors by providing unique and memorable experiences, create and facilitate new employment and training opportunities, stimulate new private investment in mixed commercial, leisure and residential and community uses.
10. On 13 September 2019, Historic England confirmed to the council that the Expression of Interest previously submitted for Leominster High Street was successful and an in principle agreement was given, subject to a successful Delivery Plan. The Delivery Plan was submitted on 10 December 2019 and the council received confirmation on 3 April 2020 that this was successful and grant funding of £1.8m from Historic England (currently embargoed) had been awarded.
11. The aims and The HAZ scheme aligns closely with the Herefordshire Council's County Plan 2020-2024. The HAZ programme is at its very heart about working in partnership and engaging communities to have a say in shaping their local high streets. The County Plan places arts and culture at the centre of its plans for Herefordshire and recognises the value heritage and creativity bring through generating income. One of the three main strands of the HAZ programme is facilitating cultural activities and events, celebrating the history of the high street and its importance to local communities.
12. The HSHAZ also complements Leominster Town Council's Corporate Plan 2019-2022, which states "Creating and underpinning a sense of place for the town, whilst improving

signage and information, is fundamental to developing the tourism economy. Encouraging people to visit and providing incentives for businesses to invest in Leominster to secure the town's economic future." The HSHAZ also supports the first priority identified in the Rural Herefordshire Destination Plan 2018-22: to put the structures in place that develop the assets and image of Herefordshire, strengthen the visitor experience and improve its branding position and market share.

13. Current policies areas which support the aims of the HSHAZ Programme for Leominster include Herefordshire's Economic Vision (Herefordshire Council), Herefordshire's Local Plan Core Strategy (October 2015), Leominster Area Neighbourhood Plan (January 2019), Leominster Transport Strategy (Balfour Beatty Living Places), Herefordshire Council Town Centres Study (Update 2012), Herefordshire Local Housing Market Assessment (2012 Update).
14. The Delivery Plan see Appendix 1 outlines the projects that will form part of the Heritage Action Zone Programme in Leominster.
15. The Delivery Plan has been developed in close consultation with Leominster Town Council and partnership working will be key to the successful delivery of the HAZ Programme. A Steering Group will be formed to manage the delivery of the scheme and will comprise a range of representative groups. The wider community will also be actively involved in the delivery of HAZ and more details can be found in the Statement of Community Engagement section of the Delivery Plan.
16. Herefordshire Council will be the accountable body for the High Streets Heritage Action Zone Programme for Leominster.
17. The day to day administration of the HAZ Programme will be led by a HAZ Project Officer; a new post co-funded by Historic England. This member of staff will be employed by Herefordshire Council, within the Economic Development Team. This post is within the current revenue budget of the Economic Development Team. Herefordshire Council will procure the public realm works in line with its own procurement policy and will issue the secondary grant applications for the property renovation funds.

## **Community impact**

18. Delivery of the HAZ Programme will be a collaborative effort with key stakeholders, local groups and organisations who will all work together to improve and celebrate Leominster's heritage.
19. The HAZ Delivery Plan includes a community engagement section listing the various individuals, groups and organisations who will be key to a successful programme. The Steering Group comprises Herefordshire Council, Leominster Town Council and representatives from a number of key stakeholder groups such as youth, disability, heritage and business. This will ensure that the planning and implementation of the projects take into account the needs and views of all.
20. The programme's main aim is to improve access to Leominster's heritage, to include key historic buildings and make them more accessible to all. Some of the key outputs for the programme include the restoration of 50 heritage assets and key buildings, the removal of six assets from the local heritage at risk register, improved public access into three key buildings, more markets and events, 30 repaired and restored shopfronts; public realm, road surfacing and pedestrian access improvements. In addition the HAZ Programme hopes to increase overnight stays, provide training opportunities, develop a heritage app,

erect heritage plaques, list 34 additional entries into the National Heritage list for England, increase footfall and reduce shop vacancy rates as well as install Wi-Fi and footfall counters at key areas within the town.

21. The improvements to the public realm will include some road resurfacing, improvements to pedestrian areas and works to Corn Square which will take into account accessibility issues.
22. Visitors to the town centre will be better orientated with the help of the heritage app and heritage plaques.
23. The listing enhancement project will provide an opportunity to reassess the town's listed buildings and heritage assets and may highlight additional assets for inclusion in the national register. This work provides opportunities for volunteers to participate in heritage related activities.
24. The enhanced visual landscape and historic character of Leominster is expected to attract more visitors, including local people, especially post Covid19 when people will be wanting to visit towns for their historic character rather than just their retail offer.

## **Equality duty**

25. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
26. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. We do not believe that it will have a detrimental impact on our equality duty but will advance equality of opportunity as the project seeks to enhance the historic fabric of Leominster Town's heritage assets, improving access to all. To improve the road surfaces and public realm to make them more accessible to wheelchair and pushchair users whilst maintaining its historic significance. Furthermore historic buildings will be restored and some will once again be accessible to visit. Interpretation plaques and a heritage app will be developed to enhance the visitor experience to the town centre.
  27. Grants will be offered to secondary grant applicants on their compliance with the eligibility criteria set by The Historic Buildings and Monuments Commission for England. Grant recipients will need to ensure that they have in place all relevant policies in order to deliver their projects.
  28. The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due

regard' in our decision making in the design of policies and in the delivery of services. We believe that this project demonstrates that the council takes its Equality duty seriously and our providers will be made aware of their contractual requirements in regards to equality legislation.

29. In addition to the Herefordshire Council and Leominster Town Council being members, the Steering Group will also include members of representative groups such as youth, disability, business and heritage.

## Resource implications

30. Provision has been made in the Economic Development budget to make a contribution towards the cost of the HAZ Project Officer post. HE have agreed in their grant offer to provide matched funding towards this post. Following approval, the Project Officer job description will be drawn up and the final salary agreed with Human Resources. This is a fixed term contract up to 31 March 2024. This post will be line managed by the Economic Development Team.
31. The Herefordshire Council match has been included within the capital programme and approval is now sought to release this match to support the HAZ Delivery Programme.
32. Herefordshire Council will run a formal procurement process for the public realm works that form part of the HAZ Programme.
33. In addition to the funding package listed below, £1m private sector match will be spent by external private companies, as renovation and restoration grants will only be given on a % basis. The premises renovation grant will be offered at 50%, requiring 50% private sector match and the historic buildings restoration grant will be offered at 80%, requiring 20% private sector match.
34. Grants will be awarded on an applicant's ability to meet the eligibility criteria as detailed by Historic England. Grants will be made on a defrayal basis on receipt of the required evidence detailed within the secondary grant agreement. The secondary grant recipient must confirm that they are unable to recover VAT as recoverable VAT will not be included. The grant scheme elements will operate on a first come first served basis until all funds are spent. The programme will be promoted to eligible applicants through local press releases and other relevant communication channels.

Capital cost of project	2019/20 £'000	2020/21 £'000	2021/22 £'000	Future Years £'000	Total £'000
Infrastructure Investment & project delivery		170	425	1,708	2,303
Renovation Grant Awards		125	416	756	1,297
<b>TOTAL</b>		<b>295</b>	<b>841</b>	<b>2,464</b>	<b>3,600</b>

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Further information on the subject of this report is available from  
Nadine Kinsey, email: [nkinsey@herefordshire.gov.uk](mailto:nkinsey@herefordshire.gov.uk)



Funding streams (indicate whether base budget / external / grant / capital borrowing)	2019/20 £'000	2020/21 £'000	2021/22 £'000	Future Years £'000	Total £'000
<i>Grant</i>		216	532	1,052	1,800
<i>Prudential Borrowing</i>		79	309	1,412	1,800
<b>TOTAL</b>		295	841	2,464	3,600

Revenue budget implications	2019/20	2020/21	2021/22	Future Years	Total
	£'000	£'000	£'000	£'40,000	£'000
<i>Already allocated within the Economic Development budget</i>		40	40	40	120
<b>TOTAL</b>		40	40	40	120

35. The capital budget allocation was approved at Council in February 2020 and provision for £1.8m has been made within the capital budget.

## Legal implications

36. The council will be the accountable body for the grant scheme and will enter into a contractual agreement with The Historic Buildings and Monuments Commission for England (“the Commission”) to administer the programme.
37. The grant scheme has been established in accordance with sections 57, 77, 79 and 80 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which empower local authorities and the Commission to provide grants and loans and Section 33 of The National Heritage Act 1983 which sets out the duties of the Commission to promote the preservation and enhancement of the character and appearance of conservation areas.
38. The draft funding agreement has been reviewed by legal services and the final form agreement will be subject to a further review by legal services.

39. The main issues have been identified as the risk of grant clawback and the need to deliver in accordance with a Programme Design submitted before the current COVID-19 pandemic. Some of the challenges that have now arisen have been identified in the recently circulated “additional High Street HAZ supplementary guidance”.
40. Grant offers made under the Programme design are made in a standard form which is set out in an Annexe to the Supplement to the Delivery Guidance and subject to any other terms or conditions required by Historic England.

## **Climate and ecological impact**

41. A Conservation Area Appraisal is one of eight projects that will be carried out as part of the programme to ensure that any future developments take into account, and protect, the local character of the area.
42. Climate change is a significant risk to heritage. Our historic environment is particularly vulnerable to environmental changes including flooding, extremes of wetting, drying and temperature fluctuation. We will work closely with Historic England through the HAZ Programme and be led by their expertise to ensure that any adaptations to our heritage will take into account the challenges of climate change and, where possible, resilience measures are put in place e.g. being prepared for flooding - adaptation measures such as temporary and demountable structures to protect historic assets from flooding/ extremes of weather.
43. Historic England is also committed to help those who care for historic buildings and places, including owners, local authorities, communities and volunteers. They recognise that the changing climate is already presenting new challenges such as increased and new flood risks, increased and more intense rainfall, and changing flora and fauna (including pests & diseases) and have committed to providing support and information to help us respond to these challenges.
44. Through the HAZ programme we want to engage with the whole community to foster the widest possible sense of ownership of our national inheritance of buildings and places. There are opportunities for wider engagement; for instance, in recording heritage that will be lost and also in assessing the risks and the impacts of climate change. Through the heritage app we have the ability to engage with the wider community and share information on the impacts of climate change to our heritage.
45. Where necessary, Natural England licences will be obtained and Habitat Regulation Assessments will be carried out – including ecological assessments - that include bat and nesting bird surveys. Appropriate measures will be put in place to ensure that compensatory roosts and nests are made available or design works factor in provision for roosts to remain. We will work closely with our colleagues in the Ecology Team to ensure that the natural environment is enhanced at the same time as the built environment.
46. Green infrastructure works will be considered as part of the public realm works and, where possible, designs will include sustainable drainage strips. Therefore, there is the opportunity to balance visual amenity, tree planting and management of surface water all in one.
47. Leominster town falls within the Lugg catchment area and therefore any projects requiring a planning application and/or necessary listed building consent will be subject

to any conditions and mitigations and remain compliant with the Nutrient Management Plan.

- 48. Ensure that HAZ-funded works improve the overall energy efficiency rating of funded buildings.
- 49. Consider and minimise the environmental impacts of materials used in HAZ works.
- 50. We will work closely with Historic England and colleagues in the Conservation and Ecology Team to ensure that any developments and restoration/remedial works carried out as part of the HAZ Programme will aim to achieve the highest possible biodiversity net gain.

## Risk management

Risk / opportunity	Mitigation
Delay in drawing down Historic England funds.	Herefordshire Council has underwritten numerous grant programmes in the past and has made a forward funding facility available to enable projects to be paid prior to making claims from the awarding body. Claims are likely to be drawn down once per quarter which is in line with most other funding programmes.
Historic England grants disputed i.e. Herefordshire Council pays out grant for restoration and HE disagree with grant award.	As grants are paid in advance of drawing down HE monies, there may be a dispute about the eligibility of certain payments. Herefordshire has extensive experience in delivering externally funded schemes and will ensure the eligibility is understood and adhered to prior to the secondary grant application being awarded.
Uptake of restoration grants lower than expected	All eligible applicants will be made aware of the grant opportunities when the scheme launches. Relevant promotional avenues will be used, e.g. social media, HC website, mailing lists, Marches Growth Hub website, Leominster Town Council networks etc. to ensure relevant publicity networks are used. Following Covid19 there is uncertainty as to the applicants' ability to match fund but this provides a real opportunity to revitalise the town and provide a financial boost to support the High Street to reopen. The available level of grant contribution is considered appropriate for the programme to be successful and is based on other grant programmes that the council operates.

Disagreement between partners and stakeholders.	Herefordshire Council is well versed in managing multi sectoral partnerships. Different representative groups will be welcomed to bring their experience and skills to the Steering Group and communicate the purposes of the HAZ to their networks, however, their role on the group will be made clear at the outset and in the Terms of Reference.
Environmental impacts, such as inclement weather, delaying the capital projects.	There is a higher risk of losing funding towards the end of the programme if it can't be spent, therefore, the renovation grants will be launched early in the new programme and the public realm works scheduled accordingly.
Council chooses alternative option and does not accept the HE funds.	Whilst the council could still deliver some aspects of the public realm and road surfacing to Leominster, the wider benefits of the project such as the refurbishment of significant historic buildings, town centre Wi-Fi and footfall counters, a heritage based app to help orientate and inform visitors, the shopfront enhancement scheme would not be able to be delivered. These schemes combined, will have a much wider beneficial impact on the town centre and the visitor experience.

51. All risks will be managed at project level.

## Consultees

52. Leominster Town Council has been consulted on numerous occasions and have input into the development of the HAZ Delivery Plan submitted to Historic England.
53. The Legal Team were consulted on the draft Funding Agreement and provided comments back to Historic England.
54. A political group consultation has taken place and no issues have been raised or comments received.
55. The portfolio holder for Economy, Environment and Skills was consulted with and views included in the final Delivery Plan.
56. The portfolio holder for Infrastructure and Transport was consulted.

## Appendices

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Further information on the subject of this report is available from  
Nadine Kinsey, email: [nkinsey@herefordshire.gov.uk](mailto:nkinsey@herefordshire.gov.uk)

None.

## **Background papers**

Leominster High Street Heritage Action Zone Delivery Plan.

## **Glossary**

HAZ – Heritage Action Zone

HBMCE – Historic Buildings and Monuments Commission for England

HE – Historic England



# Leominster High Street Heritage Action Zone Delivery Plan



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## HAZ Programme Summary

Leominster conservation area has been designated a High Street Heritage Action Zone. Leominster's Heritage Action Zone will be a place where heritage and culture are valued and restoration of the town's key buildings will be the catalyst for self-sustaining regeneration. Interventions will bring about many changes to the historic built environment and will enhance Leominster's tourism and cultural offer.

The HAZ programme will be a collaborative effort, where key stakeholders will work together and communities will be actively engaged to ensure that Leominster's heritage is widely celebrated.

The town enjoys a wealth of rich historical, cultural and architectural assets and the streets within have a large number of listed buildings, as well as a number of scheduled monuments, and non-designated heritage assets.

Historic highlights include the medieval sandstone Priory Church of St Peter and St Paul (Grade I), the 17th Century timber-framed former market hall of Grange Court (Grade II\*), the large Georgian Royal Oak Hotel (Grade II), 15th and 16th Century timber-framed buildings surrounding Corn Square and many Georgian frontages in formal site of the medieval market in Broad Street.

This unique heritage is vital to Leominster's offer as a retail and tourist destination and, each year, draws visitors following the popular 'black and white' village trail. Despite this, Leominster is facing many challenges including a drop in footfall due to changing consumer habits, poor state of the public realm, a general lack of visitor accommodation and a gradual increase in empty retail units. Unfortunately, our key historic assets are also deteriorating, mainly brought about by the cost of conservation relative to property value, which discourages landlords and business owners from undertaking repairs.

Preserving this heritage is vital to maintaining and growing Leominster's tourism economy and its key contribution to the vitality of the high street. The HAZ scheme will be a key component to overcoming the challenges facing Leominster's high street and protecting it for generations to come. Planned projects include:

- Improvements to the public realm including redesigning Corn Square
- A grants programme to restore key historic buildings and shopfronts and bring underutilised buildings back into economic and residential use
- The introduction of town Wi-Fi will enable card payments to be made at outdoor events and for footfall data to be measured. Town Wi-Fi will also enhance the visitor experience and provide services for local residents and businesses
- A web based heritage app will be developed so that Leominster's history can be made available to wider audiences
- Review of listing building records will allow for a much deeper understanding of our built environment, including distinctive and historic features
- Review of the Conservation Area Appraisal will ensure that new developments are in keeping with Leominster's unique and historic backdrop

The HAZ programme will be overseen by a Steering Group made up of wide ranging and representative groups. Community engagement is key to developing a successful scheme and the Community Engagement Statement shows how this will be achieved.

The programme will run from April 2020 to March 2024 but the benefits brought about by the programme will ensure Leominster's unique and distinctive heritage will be celebrated long into the future.

## Background

Leominster is a market town in the north of Herefordshire, 12 miles north of the city of Hereford. It is the centre for services to a wide area of north Herefordshire and parts of Shropshire and Worcestershire. The town is located on a major route aligned north-south, the A49 trunk road, at the junction with the A44, aligned east-west. The A49 by-pass trunk route (from Hereford north to Ludlow & Shrewsbury) alleviates some congestion problems within the town centre, however, significant amounts of traffic on the A44 from Hay and Kington in the west, and Bromyard & Worcester in the east, still has to enter the town due to Leominster's nodal location within the county highway network.

Leominster is the largest of five market towns in Herefordshire and has a population of just over 12,000 with 6.6% of its residents born outside of the UK. Leominster covers an area of 13.6 square miles and a population density of 860 per square mile. It is the retail hub for the Leominster residents and the wider hinterland and attracts over 25,000 visitors per year who visit to discover the town's rich and distinctive historic character. A large percentage of the population is employed in the accommodation and food industry followed closely by public administration, education and health. Over 21% of the population have health issues that limit daily activities, therefore, making the town more accessible is a priority. In terms of housing, 62.5% of the population are owner/occupiers of their own homes and 36.2% are in rented accommodation, of which 18.4% is social rented.

The town has comparatively high levels of income deprivation, with 19% of residents living in income deprived households. Three of its 8 LSOAs (31% of residents) are amongst the 25% most deprived in England, including 'Ridgemoor' which is in the 10% most deprived (IMD 2015).

Leominster is expected to accommodate another 2,300 homes during the Core Strategy period between 2011-2031, with 1,500 of these being part of a strategic urban extension to the south-west of the town. This will put increasing pressure on the town's infrastructure, particularly with increased traffic volumes, that this scale of development will generate. It is essential that town centre improvements are made in order to accommodate a development of this size.

### History

In terms of its history, Leominster was laid out outside a flourishing monastic enclosure, separated by an Anglo-Saxon defensive line, which still exists, and makes a dramatic contrast between the market town and the open grassland of the Grange. The central streets and alleys of the town still retain much of their medieval character. Many buildings retain their terraced form derived from the original burgage plots, making them most distinctive.

The town enjoys a wealth of rich historical, cultural and architectural assets and the town centre is covered by the Leominster Conservation Area (see map). The streets within the conservation area have a large number of listed buildings, as well as a number scheduled monuments and non-designated heritage assets.

Historic highlights comprise a number of landmark buildings including the medieval sandstone Priory Church of St Peter and St Paul (Grade I), the 17th Century timber-framed former market hall of Grange Court (Grade II\*) and the large Georgian, late 18th Century, Royal Oak Hotel (Grade II).

In the heart of the town centre is Corn Square, formerly the site of the corn market, surrounded on three sides by significant buildings, many of which are listed, including a group of 15th and 16th

Century timber-framed buildings (Grade II) on the south side and a 19th Century palazzo (a bank) on the east side.

Broad Street, formerly the site of a medieval and post-medieval market, is still today lined by significant buildings, most of which are listed (Grade II), including many with 18th/early 19th Century Georgian frontages and also several 17th Century timber-framed buildings.

Leominster portrays an image of a Georgian town, but exploration of its network of streets, passages and buildings reveals the medieval origins of a town created around the location of a Saxon Priory and as a centre of the wool trade. Its many antique shops amplify the opportunity to travel back in time.

It sits at the heart of 'Leominster Country', an area rich with attractions of historical and environmental interest. Leominster's central location at the crossroads of key North/South (A49 and railway) and East/West (A44) transport networks make it an ideal base for visitors to explore not only the town's tourism offer, but also Hereford City, the market towns of Bromyard, Kington, Ludlow and Tenbury, the Marches and Mortimer Country, and local heritage sites such as Hampton Court Castle, Berrington Hall and Croft Castle. Leominster's accessibility made it an ideal starting point for the well-known Roger Albert Clark Rally in both 2017 and 2019 (See Appendix 5).

Today, Leominster has a very varied business base with traditional industries such as agriculture sitting alongside modern manufacturing and internet based businesses. The historic core is the main retail and entertainment hub for businesses, residents and visitors. Tourism makes a large contribution to the town's economy with Leominster being a destination for antiques, HArt, the Lion Gallery, an excellent TIC selling local goods and a dominance of independent shops with scope to grow.

Leominster also has a rich cultural offering, with a diverse calendar of annual events that draws in visitors from across Herefordshire and further afield. Each year Leominster's heritage is celebrated in the popular Medieval Festival and Victorian Street Market, while the Leominster Festival showcases a high calibre of performers (such as the Birmingham Philharmonic Orchestra) in the historic surroundings of the Leominster Priory and Lion Ballroom.

### Need

Preserving the distinctive aesthetic of Leominster's rich heritage is vital to the town's offer as a retail and tourist destination. Each year the town draws visitors following the popular 'black and white' village trail, starting and ending in Leominster town centre. Despite Leominster remaining a popular tourist destination and the main retail hub, the recent public realm review and feedback from consultations that have taken place over the years have highlighted a number of challenges:

- noticeable decline in footfall within the town centre;
- a lack of investment in basic infrastructure including the highway and street scene in general;
- lack of investment in residential and retail properties;
- deterioration of key historic assets brought about by the costs of conservation, and fire regulations, discouraging landlords and business owners from undertaking repairs;
- a lack of access to cultural and leisure activities;
- a gradual increase in empty retail units and an increase in charity shops;
- a general lack of visitor accommodation;
- a lack of good quality hotel and B&B accommodation;

- inadequate infrastructure for promoting and accessing the town's heritage;
- car parking charges;
- poor air quality on the Bargates;
- lack of confidence in the town centre;
- significant increase in residential development planned will put pressure on insufficient transport and infrastructure;
- damaged gutters funnelling rain onto pedestrians.

In terms of the built heritage, a recent appraisal of listing buildings showed that six buildings were currently 'at risk' and another ten buildings have been categorised as 'vulnerable'. The appraisal indicates that the bare minimum remedial action is £450,000 and, following detailed assessments, this figure is likely to rise considerably.

Vacancy rates for office and retail in Leominster town centre are currently 11%, slightly over the national average of 10.2% (Retail Gazette, May 2019), and this translates to around 72 empty properties (out of 671) in the centre of Leominster. Leominster footfall reflects that of high street footfall nationally which has declined by one per cent over the past year.

Poor air quality within the town, especially at Bargates (resulting from traffic congestion in and around the town) presents a big challenge. There are a number of locations in the town centre, including the junctions of New Street/Broad Street and Bargates/Cursneah Road, where high traffic volumes on the A44 (including significant freight movements) create an unattractive street scene and a barrier to pedestrian movements through the area. This is further exacerbated across the town centre by a high proportion of traffic movements seeking a free car parking space, which in turn clogs up the centre and creates a polluted and unpleasant environment.

Of particular concern is the deteriorating public realm, with damaged and uneven pavements that hinder access for pushchairs, wheelchairs and those with mobility difficulties. The public realm in the town centre has evolved significantly over time, adapting to reflect changes in materials, traffic and use of the streets and spaces. There has been no significant investment in the public realm in the town centre for over twenty years. As a result it is currently disjointed, dated and in a poor state of repair. There are an increasing number of complaints from pedestrians relating to the impact of the state of the paving.

Utility works and maintenance repairs have resulted in poor reinstatement of finishes. The A49 bypass trunk route (from Hereford north to Ludlow & Shrewsbury) alleviates some congestion problems within the town centre, however, significant amounts of traffic on the A44 from Hay and Kington in the west and Bromyard & Worcester in the east still has to enter the town due to Leominster's nodal location within the county highway network. This combined with an expectation to park in the town centre either in car parks at no charge, or on streets, means that traffic flows within the historic core remain high. Under this pressure, materials have deteriorated, and combined with poor maintenance of pavements, high kerbs, poor crossing points and narrow pavements, means that the pedestrian environment is poor, car dominated, unattractive to visitors and deters exploration throughout the town.

As the cost of public transport increases, and frequency decreases, many residents rely on the town retail offer for all of their shopping needs and employment opportunities. Further large-scale housing development, resulting in an increase in Leominster's population of 40%, will place further burden on the existing infrastructure and retail offer and therefore, it is more important than ever, that both are improved to meet these demands. If Leominster's High Street is allowed to decline, then this will have a significant detrimental impact on the town's visitors, businesses and residents.

Despite these challenges, many stakeholders are united in their enthusiasm and vision for Leominster in that it will be a distinctive, sustainable, vibrant, bustling and prosperous town that encourages visitors and residents to engage with its unique heritage and local talent. Key stakeholders have embraced an ambition for change and this is underpinned in numerous strategies and action plans.

Recent projects have begun to address some of the challenges facing the town. Leominster Town Council is working alongside local heritage groups to improve signage and interpretation materials in the town, with funding awarded by the LEADER programme. The 'Enhancing Leominster's Heritage' project will be completed by March 2020 and outputs include:

- improved pedestrian finger post signage throughout the town
- a trail of 10 heritage interpretation boards
- replacement welcome signs located on town entrances
- updated visitor information signs in the town car parks, bus station and railway station

This project utilises the extensive knowledge and experience of local heritage groups to promote Leominster's historical assets whilst also improving navigation and enhancing the visitor experience.

In June 2019, Leominster Town Council completed work on 'the Servants Quarters', a self-catering holiday let in 11 Corn Square that has been restored in Edwardian style. This project has provided much needed high quality accommodation within the town, while also engaging visitors with Leominster's history and providing a revenue stream to support town services. During 2019, the Town Council also developed a Masterplan proposal for the future development of the Grange Open Space (in the heart of the town centre). The development plans were shaped by extensive public consultation and the final plans draw heavily upon Leominster's heritage, while proposing a destination park that will attract additional visitors to the town. Delivery of the Grange Masterplan (Appendix 4) is due to begin within the next 24 months.

### Opportunities

The potential impacts of the HSHAZ scheme for Leominster are wide and varied, with the HSHAZ having a potentially huge positive impact on the town centre, local businesses and also for the population of Leominster and wider catchment area. The HSHAZ scheme is a real opportunity to celebrate and enhance the assets of Leominster town, tackle vacancy rates, the condition of buildings & the public realm and make it accessible to all visitors and residents.

As mentioned above, key stakeholders have embraced an ambition for change and have identified a number of key objectives and key projects to bring about this change; however, in order to deliver these objectives, external investment is required. Coupled with existing and planned initiatives, HAZ funding will be the catalyst for self-sustaining regeneration. Some examples include:

- Improvements made to the highway and street scene are expected to have a positive impact on the extent of footfall and the desirability of premises for take up by businesses. An example of the effect of public realm improvements on footfall and economic regeneration can be seen in Hereford on Widemarsh Street. Public Realm improvements were made in 2009 and, whilst traders in the street were initially sceptical of the impact that the works would have, they reported significant improvements to trading and footfall. Furthermore, vacancy rates in the street have dropped dramatically.

- Leominster footfall reflects that of high street footfall nationally, which has declined by one per cent over the past year. In taking steps to address this decline, planned projects such as renovation of shops and residential premises will bring back into use over 1,000sqm of currently unused floor space (data from Herefordshire Council commercial property register, July 2019). Bringing empty or underutilised buildings back into use by exhibiting local artwork and produce will also enhance the vibrancy of the high street, with corresponding jobs created and jobs safeguarded as a result.
- Measures to support local retailers will also encourage new businesses to invest in the town. Increasing uptake of business premises will lead to an increase in local employment and training opportunities, which is particularly crucial in a rural market town that has been significantly affected by cuts to rural public transport provision.
- Improvements to infrastructure in Corn Square will allow for an expansion of the market offer, as a larger and more diverse range of stall holders are attracted by the improved environment, increased footfall and Wi-Fi payment facilities. Improved surfacing, lighting and electricity access will allow for a wider range of community events – including theatre, dining, music and cinema.
- Evening events will attract additional people into the town centre at a time where there is currently very little activity, stimulating the night time economy and encouraging new investment in this area.
- With over 200 designated heritage assets in the Leominster Conservation Area, the HAZ grant will provide opportunities to improve the condition of key buildings, open spaces and heritage assets across the town. This will not only reverse the decline from recent lack of investment, but also help to preserve Leominster’s unique townscape for future generations.
- Raising the profile of Leominster’s heritage and historical attractions, through the heritage website and app, and through the Cultural Programme, will help to generate an enhanced sense of local identity and pride, whilst increasing the number of visitors who will come to enjoy the diverse range of attractions that Leominster has to offer.
- Improving the public realm will not only make the townscape more aesthetically pleasing but will also lower kerbs, remove trip hazards and generally make the town more accessible to those with pushchairs, wheelchairs or mobility issues. Develop the legibility of the town, encourage exploration, extend dwell times and increase economic activity.
- Improving the condition of the shopfronts and key buildings within the town centre will enhance the visitor experience and lead to increased visit duration, higher overall spends and the subsequent benefits that that brings to the local economy (including increased employment opportunities).
- Investing in property development and maintenance would encourage fuller utilisation of the upper floor accommodation in the town centre, increasing the attractiveness and viability of many poorly maintained buildings and improving the residential offer and visitor accommodation provision within the town centre. There is potential to improve a number of buildings in and around the town centre that would lend themselves to much needed visitor accommodation.

- As part of the public realm consultation the HAZ Programme will provide the opportunity to review traffic movements within the town and potentially prohibit traffic in some parts of the town during certain times of the day. This will lead to shared space improvements including better pedestrian access and improved cycling routes in and around the town centre. This will result in a clean, safe environment constructed to work sympathetically within a historical environment.
  
- Neighbouring local attractions also provide numerous tourism potential from which Leominster can also benefit, including Monkland Cheese Dairy, Ludlow, Mortimer Country Park, Hay Festival, Brecon Jazz Festival, rural Herefordshire holidays such as fishing, glamping, walking and cycling.



## Aims and Objectives

The aims and objectives of the HAZ Programme are closely aligned with those that already form part of overarching key strategies for the market towns in Herefordshire. In terms of the wider strategic context for Herefordshire, market towns are a key focus for delivering jobs and economic growth across the county. Alongside tourism being a key priority for the new administration, there has recently been a large focus on the formation of a Destination Business Improvement District in Herefordshire (DBID) to support the development and promotion of tourism. Along with other market towns in Herefordshire, Leominster would be part of any future DBID. This is aligned with the potential benefits that the HSHAZ programme can bring, in terms of increasing tourism in Leominster.

HSHAZ projects in Leominster will also be aligned with other development and regeneration schemes to avoid duplication and increase the impact and benefits for the local area. The Economic Vision for Herefordshire echoes the ambitions of the HSHAZ “The market towns of ... Leominster ... will be vibrant places with a clear sense of community. They will all have built their own distinct identity focussing on identified target audiences to create a sense of distinctiveness and a niche tourism offer. Town centres will be sought after places to live, shop and visit. They will support small scale production, niche retailing and a growing local food, drink and hospitality sector “.

The HSHAZ also complements Leominster Town Council’s Corporate Plan 2019-2022, which states “Creating and underpinning a sense of place for the town, whilst improving signage and information, is fundamental to developing the tourism economy. Encouraging people to visit and providing incentives for businesses to invest in Leominster to secure the town’s economic future”. The HSHAZ also supports the first priority identified in the Rural Herefordshire Destination Plan 2018-22: to put the structures in place that develop the assets and image of Herefordshire, strengthen the visitor experience and improve its branding position and market share.

Current policy areas which support the aims of the HSHAZ Programme for Leominster include Herefordshire’s Economic Vision (Herefordshire Council), Herefordshire’s Local Plan Core Strategy (October 2015), Leominster Area Neighbourhood Plan (January 2019), Leominster Transport Strategy (Balfour Beatty Living Places), Herefordshire Council Town Centres Study (Update 2012), Herefordshire Local Housing Market Assessment (2012 Update).

### Aim

The vision for Leominster is that it will be one of the county’s more sustainable towns; vibrant and bustling with a prosperous and unpolluted environment that encourages visitors and residents to engage with the town’s unique heritage and local talent.

### HAZ Partnership Objectives

Key Objective & (HAZ scheme programme strands)	Which project objective is being delivered via	HE Investment Objective (one of the seven strands)	Local/national output
<i>(Physical interventions)</i>	Restoration of key buildings project	2. Address changing consumer demands by using the local historic character and	50 x Number of heritage assets and key buildings restored

<p>Improve the natural, built and historic environment in the town by restoring distinctive and unique historic character</p>	<p>Premises Renovation Fund</p> <p>Reimagining Corn Square</p>	<p>distinctiveness to differentiate the high street from competitors and provide unique and memorable experiences</p> <p>4. Invest in clusters of historic buildings and associated public realm</p>	<p>6 x assets removed from local heritage at risk listings</p> <p>Improved public access into 3 key buildings</p> <p>Corn Square redesigned – x more markets X more events X buildings restored in Corn Square</p>
<p><i>(Physical interventions)</i></p> <p>Improve both the physical appearance and accessibility of the public realm using better quality and more durable materials and improving pedestrianised areas in the town centre (including improved signage) and managing traffic &amp; parking</p>	<p>Public realm</p>	<p>1. To revitalise historic assets by investing in the repair of vacant or under-utilised heritage assets and public realm assets</p> <p>2. Address changing consumer demands by using the local historic character and distinctiveness to differentiate the high street from competitors and provide unique and memorable experiences</p> <p>7. To create public value through effective use of public resources and influence planned regeneration initiatives to maximise their wider benefits</p>	<p>Public realm improved in x streets or sqm of public realm improved</p> <p>Xx number of improved pedestrianised areas/mtrs of pavement improved</p> <p>30 repaired/restored shopfronts</p>
<p><i>(Physical interventions)</i></p> <p>Bring underutilised and derelict properties back into economic and residential use</p>	<p>Premises Renovation Fund</p>	<p>1. Repair and restore vacant or underutilised heritage assets and public realm assets</p> <p>2. Address changing consumer demands by using the local historic character and distinctiveness to differentiate the high street from competitors</p>	<p>1000 sqm commercial space renovated</p> <p>30 x shopfronts restored</p> <p>5 x number of new residential units brought back into use through renovation</p> <p>15 x of new rooms for visitor accommodation</p>

		and provide unique and memorable experiences	2 x Number of hotel/guesthouse units repaired
<p><i>(Physical interventions, community engagement and cultural programming)</i></p> <p>Enhance the vitality and viability of Leominster for retailers, visitors and residents</p>	<p>Premises Renovation Fund</p> <p>Restore historic buildings</p> <p>Public Realm</p> <p>Reimagining Corn Square</p> <p>Heritage web app</p> <p>Wi-Fi project and footfall counts</p>	<p>All seven investment objectives</p>	<p>10% increase in footfall</p> <p>5% decrease in vacancy rates</p> <p>500 x additional of overnight stays</p> <p>Number of new enterprises</p> <p>10 x community engagement events</p> <p>Xxx number of attendees</p> <p>15 x additional rooms for visitor accommodation</p>
<p><i>(Community engagement and cultural programming)</i></p> <p>Improve the understanding, participation and enjoyment of Leominster's heritage by making information available in various mediums</p> <p>Develop skills/training of local groups around heritage research &amp; listings</p>	<p>Heritage Web App</p> <p>Listing Buildings Project</p>	<p>3. Add economic value by creating and facilitating new employment and training opportunities which can be taken up by local people</p> <p>5. Work with local communities to develop a greater understanding and appreciation of the heritage on their high streets</p>	<p>1 x heritage app developed</p> <p>1 x platform developed to promote local business</p> <p>1 x platform for heritage and cultural organisations to communicate research</p> <p>5 x training events to support retailers and heritage groups on promotional content</p> <p>34 National Heritage List for England (NHLE) list entries enriched</p> <p>5 additional building plaques erected</p> <p>30 training opportunities for volunteers in heritage and conservation</p> <p>Xx users of heritage app</p> <p>Xx heritage events/assemblies at</p>

<p><i>(Physical interventions and community engagement)</i></p> <p>Update Conservation Area Appraisal and Buildings at Risk Listings</p>	<p>Conservation Area Appraisal Review</p> <p>Listing Buildings Project</p>	<p>5. To work with local communities to develop a greater understanding and heritage on their high streets</p>	<p>1 x Conservation Area Appraisal</p> <p>1 X updated local BAR register</p> <p>200 entries on NHLE</p> <p>34 x entries on NHLE enriched</p> <p>5 x community volunteers recruited to help with listings project</p>
<p><i>(Community engagement and cultural programming)</i></p> <p>Promote and raise the profile of the Heritage Action Zone Programme within the community</p>	<p>Community Engagement Plan</p>	<p>3. Add economic value by creating and facilitating new employment and training opportunities which can be taken up by local people</p> <p>5. Work with local communities to develop a greater understanding and appreciation of the heritage on their high streets</p> <p>6. To work with local businesses and communities to ensure that local needs, knowledge, insight and narratives drive the local investment programme</p>	<p>4 x community reps recruited to Steering Group</p> <p>30 x community events held</p> <p>volunteers involved in HAZ projects</p> <p>30 training opportunities for volunteers in heritage and conservation</p> <p>10 x number of business consultation events held</p> <p>100 x number of business surveys received</p>
<p><i>(Cultural programming and community engagement)</i></p> <p>Develop a Cultural Consortium for Leominster</p>	<p>Cultural Consortium Programme</p>	<p>2. Using local historic character and distinctiveness to differentiate the high street from competitors and provide unique and memorable experiences</p> <p>5. To work with local communities to develop a greater understanding and heritage on their high streets</p>	<p>Leominster Cultural Consortium developed by March 2020</p> <p>Bid document submitted to support Cultural Programme April 2020</p> <p>Cultural Programme developed September 2020</p> <p>Provide funding for training to develop conservation skills and</p>

			celebrate local talent at professional and craft level
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## HAZ Partnership Team

The Heritage Action Zone Project will be managed by a Steering Group made up of representatives from key departments within Herefordshire Council and Leominster Town Council. Herefordshire Council will be the accountable body for the scheme and oversee the grant claiming process. Representatives on the Steering Group will include:

- Herefordshire Council
  - Head of Economic Development
  - Senior Economic Development Officer
  - HSHAZ Project Officer
  - Building Conservation Officer
  
  - Herefordshire Council may also request that other officers attend meetings as and when required. These may include Engineering Manager (Transport and Access Service), Building Conservation Officer, Planning Officer – Building Control, Herefordshire Council Lawyer (will provide legal advice as and when required), Planning and Highways Procurement Officer, Strategic Finance Manager
  
- Leominster Town Council
  - Town Clerk
  - Projects and Grants Officer
  - Mayor
  - Chair of Communications and Events Committee
  
- Community Representatives
  - Representatives (numbers to be determined) from stakeholder groups will be invited to be members of the Steering Group. Stakeholder groups could include Youth, Disability, Heritage and Business
  
- Historic England
  - Historic England will be invited to have representation on the Steering Group
  
- Professional Representatives
  - Representatives providing professional advice will be requested to attend certain meetings to advise the group as necessary e.g. Quantity Surveyor, Principle Contractor, Historic England

The Steering Group will be responsible for the overall direction and delivery of the HAZ Programme within the parameters of the scheme. Steering Group representatives will sign a Terms of Reference, which will provide the framework for the delivery of the HAZ Programme. The Steering Group will:

- Meet bi-monthly (with the option to change frequency as required);
- Ensure the programme is delivered in line with the Delivery Plan;
- Take decisions within the parameters of the scheme eligibility;
- Monitor progress against project outcomes and ensure the programme remains on track;

- Recommend applications for approval for grant funding;
- Ensure the community remains engaged with the HAZ Programme;
- Ensure key stakeholders are engaged and regularly consulted with;
- Establish and oversee smaller working groups to address particular aspects of design or implementation as necessary e.g. establish the criteria and application process for grant schemes;
- Establish the Cultural Programme and identify the lead organisation;
- Seek opportunities to draw in additional funding streams.

A Chair and Vice Chair will be elected at the first meeting. The quorate will be agreed to ensure that the necessary representative bodies are present. Representative organisations will be able to send a replacement if they are unable to attend, however, the representative must be able to take decisions on behalf of the representative group. Decisions, can be taken electronically, subject to the same quorate rules being met.

#### HAZ Project Officer

A full time (fixed term until March 2024) HAZ Project Officer role will be newly created for the project and will be instrumental in the facilitation of the HSHAZ project in Leominster.

The Project Officer will be employed by Herefordshire Council and line managed by the Senior Economic Development Officer. The Project Officer will be mainly based in Leominster but will be required to work part time in Hereford in order to attend meetings and report on the programme progress as necessary.

The Project Officer will be responsible for:

- Organising the development and implementation of HSHAZ project for Leominster;
- Working with key stakeholders and Historic England throughout the development and implementation of the project;
- Scheduling and facilitating the Steering Group;
- Taking minutes of meetings and prepare and disseminate paperwork as necessary;
- Report to the Steering Group to enable them to monitor progress, make strategic decisions, approve project schedules and budgets;
- Liaison with Historic England on HSHAZ related issues;
- Managing relationships with key partners in relation to the HSHAZ;
- Overseeing and coordinating HSHAZ projects to ensure efficient and effective delivery;
- Promotion of grant schemes and advising on and issuing of grants;
- Ensuring Herefordshire Council's Programme Management Framework is adhered to and regularly updated;
- Manage communications between the Project Steering Group, Herefordshire Council, and Leominster Town Council;
- Preparation and submission of monitoring and financial claim information to Historic England.

Herefordshire Council will provide experienced staff in the areas of Economic Development, Conservation, Planning, and Transport Management. Herefordshire Council will also manage communication and task delegation between the Project Steering Group and Balfour Beatty, who currently holds the council's public realm contract. Herefordshire Council has staff with extensive experience of project management and delivering externally funded schemes ranging from major infrastructure schemes to smaller grant programmes. Herefordshire Council has an excellent track

record of delivery. These staff will be able to support the HAZ Project Officer in meeting the monitoring requirements of the HAZ funding agreement.



Leominster Town Council will take on the role of local facilitator for the project, acting as a conduit between the Project Steering Group and forums representing key stakeholder groups within the town. Leominster Town Council will not only keep local stakeholders informed about project developments, but will also ensure that local residents, businesses and community groups are consulted on key project decisions and have a meaningful voice in the development of the project (please see community engagement for key stakeholders).

Please see Appendix 4 for organogram of proposed Project Steering Group and structure.

## Statement of Community Engagement

Both Herefordshire Council and Leominster Town Council feel strongly about the importance of consultation and are committed to encouraging local engagement at all available opportunities. Community Engagement for the Leominster HAZ scheme has the following aims:

- To increase awareness of the scheme in the community
- To encourage and enable community participation in the scheme
- To reach out and connect with audiences not currently involved with the scheme
- To ensure effective and regular communication with existing and new stakeholders
- To manage expectations, by being transparent about the scheme outputs and timescales
- To provide opportunities for residents, businesses, and community groups to shape the scheme and its outputs
- To ensure that the projects adequately take into account the needs of local stakeholders
- To nurture a sense of local ownership of the scheme and its projects, in order to ensure that support continues to sustain momentum after the initial period of funding.

### Local Stakeholder Groups

We seek to engage with as many current, and potential, stakeholders of the scheme as possible, in order to inform the decision-making and design of scheme projects. Leominster Town Council already has in place many of the channels required to communicate and engage effectively with the local community.

Local stakeholder groups will include:

- Residents: Leominster Town Council has a strong record of consulting with local residents. It runs an annual budget consultation and has recently consulted on the development of two town centre play areas. Particular efforts have been made to establish connections with demographic groups that may not otherwise have a voice – including the local Polish community, young people, veterans and areas of the town that are geographically isolated or demonstrate high levels of vulnerability. The Council also has excellent links with local schools and works closely with teaching staff to ensure that young people have a voice in public consultations.
- A local heritage advisory group: made up of representatives from LARC, Leominster Museum, Leominster Civic Society, Leominster Historical Society, Leominster Forbury and Leominster Priory. This group is currently collaborating with Leominster Town Council to deliver a LEADER project to develop heritage interpretation materials in the town centre.
- Local businesses: one-to-one conversations with local businesses and retailers have informed many of the projects included within the HAZ scheme, as indicated by the large number of town centre businesses who submitted letters in support of the initial Expression of Interest. Leominster doesn't currently have a working businesses group or BID in the town, so a legacy of this project will be to help establish a more effective and structured channel for local business owners and landlords to communicate with local government, event organisers and other community groups.
- Team Leominster: a two-tier forum that has been in place since 2017, Team Leominster was established to enable a greater degree of collaboration between key organisations and community groups in Leominster. Representatives meet regularly to develop strategic responses to reoccurring or complex issues or opportunities facing the town. Members include: Leominster Town Council, Herefordshire Council, West Mercia Police, ECHO,

Marches Family Network, Herefordshire Wildlife Trust, Grange Court, the Priory, Hereford Diocese, Stonewater, Vennture, CAB, Leominster NILS, and HVOSS.

- Disability Groups: Leominster Town Council already works closely with ECHO, Dementia Friendly Leominster, Shopmobility and Marches Family Network, through Team Leominster and other town initiatives.
- Leominster Country Tourism Association: administered by Leominster Tourist Information Centre (part of Leominster Town Council), the association has over 140 members from tourism businesses and attractions in and around the Leominster locality.
- Event Organisers: Leominster Town Council supports organisers in providing a range of town events, including Leominster Food Fayre, Leominster Festival, Leominster May Fair, Leominster Victorian Street Market and Organisers for the annual Christmas Lights switch-on. The Town Council also runs a weekly market and monthly farmer's markets, and has good channels of communication with stall holders via its Markets Officer.
- Local artists and performers: Leominster Town Council runs an exhibition space at 11 Corn Square to celebrate and support local artists. It also has strong links with local performers via the Box Office service that is offered via the Tourist Information Centre.

### Methods of Consultation

A range of consultation approaches and activities will be carried out to ensure that we reach the range of stakeholders listed above. These will include:

- Online and offline engagement tools
- Activities which can be participated in at various times of the day and week
- Activities hosted at a range of accessible venues– including the Council Chambers, Leominster Community Centre, and Barons Cross Community Room
- Opportunities which demand only a short amount of time from the participants
- Holding activities in conjunction with other pre-organised events
- Stakeholder meetings
- Online and hard copy information and surveys
- Formal consultation with statutory bodies
- Open meetings and drop-in sessions for the general public
- Static displays with comments boxes in public spaces such as Leominster Library and the Leominster Tourist Information Centre
- School assemblies and workshops with youth groups

In addition, community representatives will be invited to be members of the Steering Group, or project specific task and finish groups. Leominster Town Council will take on the role of local facilitator for the project, working alongside the HAZ Project Officer and helping to ensure that local stakeholders are informed about project developments and are consulted on key project decisions.

### Publicity and Communication

In order to give stakeholders and local residents as much opportunity as possible to engage with the scheme and participate in consultation, all events and activities must be publicised in an effective and timely manner. Opportunities for consultation and other involvement in the scheme will be advertised via:

- Town Council and Herefordshire Council websites
- Town Council, Herefordshire Council and Tourist Information social media accounts
- Leominster Heritage Web App
- Direct emails to local businesses, organisations and community groups

- Posters placed on notice boards and in public buildings
- Display boards at the Tourist Information Centre
- Hard copy leaflets distributed to local heritage sites, local schools and nurseries, Leominster Library, HALO leisure centre, Leominster Community Centre, Barons Cross Community Room, shops and pubs throughout the town centre
- Articles in the Leominster News and other relevant publications

#### Consultation completed to date

There has been broad support for the application to the High Streets Heritage Action Zone Project, as evidenced by 87 letters of support from local partners submitted as part of the Expression of Interest. These letters were received from market traders, retailers, professional services and community groups, including: Age UK Hereford & Localities, ECHO, Gabbs Solicitors, Howard Moseley Butchers, LARC Development Trust, Leominster Civic Society, Leominster Food Fayre, Leominster Museum, Leominster Shopmobility, Leominster Town Council, Lion Ballroom, ME Fletcher Newsagent, Oxenham Art, Parrys Fruit and Veg, Rankin Constitutional Club, Roundabout Stationery, Spencer Brookes Designs, Stockmoor Antiques, The Black Swan, The Forbury Chapel, and The Lion Gallery, amongst others.

In addition, engagement with the local community has already helped to inform the development of scheme projects in the following ways:

- Property Renovation Fund
  - One to one conversations with businesses and landlords
- Corn Square Redesign
  - Formal consultation on a variety of options for the development of Corn Square as part of research for the Leominster Transport Strategy (Feb 2019)
  - Discussions with event organisers with regards to infrastructure needs and placement
  - Consultation conducted by Leominster Town Council regarding resident views on community event needs
- Public Realm and Streetscape Improvements
  - Budget consultations conducted by Leominster Town Council have indicated strong support for public realm improvements
  - One to one conversations with residents, visitors and business owners
- Restoration of Historic Buildings
  - Exploratory conversations with local heritage groups
  - One to one conversations with businesses and landlords
- Improved Town Centre Wi-Fi
  - Consultation with market holders, undertaken by Leominster Town Council's
  - Markets Officer
- Heritage Interpretation Web App
  - Exploratory conversations with local heritage groups and tourism officers

## Future Engagement

A summary of initial community engagement considerations for each of the scheme's projects is included in the table below. These will be reviewed and added to as each project is developed.

<b>Project</b>	<b>Engagement type/Consultation Topic</b>	<b>Stakeholders</b>
Property Renovation Fund	<ul style="list-style-type: none"> <li>• Grant scheme scope and format. Specifically:               <ul style="list-style-type: none"> <li>- Concerns regarding existing condition of buildings of historical interest</li> <li>- eligibility criteria and selection procedures for the premises grant</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Local business owners and landlords</li> <li>• Heritage Groups, including: LARC, Leominster Museum, Leominster Civic Society, Leominster Historical Society</li> </ul>
Corn Square Redesign	<ul style="list-style-type: none"> <li>• Infrastructure requirements and locations (e.g. electricity and Wi-Fi)</li> <li>• Access requirements for equipment delivery and staging/entertainment</li> <li>• Views on parking requirements</li> <li>• Access needs for customers</li> <li>• Access needs for deliveries</li> <li>• Options for involving local businesses in town events</li> <li>• Parking requirements</li> <li>• Shopping and visiting habits</li> <li>• Event requests and ideas</li> <li>• Current and desired uses for the square</li> <li>• Ideas for promoting Corn Square's history</li> <li>• Access requirements (wheelchairs, buggies, visual impairments)</li> <li>• Surface material requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Event organisers, including: Leominster Food Fayre, Leominster Festival, Leominster May Fair, Markets Officer, Leominster Victorian Street Market, Organisers for the annual Christmas Lights switch-on</li> <li>• Local artists and performers</li> <li>• Local businesses</li> <li>• Community Groups</li> <li>• Residents and visitors</li> <li>• Heritage Groups, including: LARC, Leominster Museum, Leominster Civic Society, Leominster Historical Society</li> <li>• Disability groups, including ECHO, Marches Family Network, Shopmobility, Dementia Friendly Leominster, Hereford College for the Blind</li> </ul>
Heritage Interpretation Web App	<ul style="list-style-type: none"> <li>• Site structure and design</li> <li>• Site aesthetics and accessibility</li> <li>• Age appropriate content, part. for children's trails</li> <li>• Aspirations and support/education/promotion needs for local heritage groups</li> <li>• Aspirations and support/education/promotion needs for local retailers</li> <li>• Visitor and resident needs/interests</li> <li>• Business subscription models</li> </ul>	<ul style="list-style-type: none"> <li>• Leominster Country Tourism Association</li> <li>• Heritage Sites: The Priory, Grange Court, Forbury Chapel, Lion Ballroom</li> <li>• Heritage Organisations: Leominster Museum, Leominster Area Regeneration Company (LARC), Leominster Historical Society, Leominster Civic Society</li> <li>• Accessibility and engagement advice: ECHO, Marches</li> </ul>

		<p>Family Network, Shopmobility, Dementia Friendly Leominster, Hereford College for the Blind</p> <ul style="list-style-type: none"> <li>• Schools: Leominster Primary School, Earl Mortimer College</li> <li>• Local businesses</li> </ul>
Public Realm and Streetscape Improvements	<ul style="list-style-type: none"> <li>• Access needs for residents</li> <li>• Access needs for businesses</li> <li>• Shopping and visiting habits</li> <li>• Mobility access requirements (wheelchairs, buggies, visual impairments)</li> <li>• Surface material requirements</li> <li>• Planter and furniture needs</li> </ul>	<ul style="list-style-type: none"> <li>• Local businesses</li> <li>• Community Groups</li> <li>• Residents and visitors</li> <li>• Disability groups, including ECHO, Marches Family Network, Shopmobility, Dementia Friendly Leominster, Hereford College for the Blind</li> <li>• Leominster in Bloom (planters and furniture)</li> </ul>
Restoration of Historic Buildings	<ul style="list-style-type: none"> <li>• Grant scheme scope and format. Specifically: <ul style="list-style-type: none"> <li>- Concerns regarding existing condition of buildings of historical interest</li> <li>- eligibility criteria and selection procedures for the premises grant</li> </ul> </li> <li>• Alternative use options - requirements and feasibility</li> </ul>	<ul style="list-style-type: none"> <li>• Local business owners and landlords.</li> <li>• Heritage Groups, including: LARC, Leominster Museum, Leominster Civic Society, Leominster Historical Society</li> <li>• Community groups</li> <li>• Residents</li> </ul>
Improved Town Centre Wi-Fi	<ul style="list-style-type: none"> <li>• Wi-Fi access methods</li> <li>• Analytics requirements</li> <li>• Evaluation of service post installation</li> </ul>	<ul style="list-style-type: none"> <li>• Local businesses</li> <li>• Market stall holders</li> <li>• Leominster Country Tourism Association</li> <li>• Local heritage/tourist sites</li> <li>• Residents and visitors</li> </ul>
Listing Enhancement Project	<ul style="list-style-type: none"> <li>• Information/education sessions to explain project outputs</li> </ul>	<ul style="list-style-type: none"> <li>• Local heritage groups</li> <li>• Community volunteers to support listings project</li> <li>• Interested members of the public</li> </ul>
Conservation Area Appraisal Review/Policy	<ul style="list-style-type: none"> <li>• Information/education sessions to explain project outputs</li> </ul>	<ul style="list-style-type: none"> <li>• Local heritage groups.</li> <li>• Interested members of the public</li> </ul>

## Proposed Cultural Consortium

An initial task of the Steering Group will be to identify partners for the Cultural Consortium who will be responsible for developing the Cultural Programme. Fortunately, Herefordshire now has a 10 year Cultural Strategy (2019-2029) and prioritises a number of objectives reflecting the views of the individuals and groups within the county.

The Herefordshire Cultural Strategy (2019-2029) focuses on the arts and heritage, performing arts, literature, music, crafts, visual and digital arts, photography, design, architecture, fashion, creative businesses, buildings and facilities where we access culture including museums, arts centres, theatres, churches, village halls, cinemas, libraries, archives and galleries. Importantly, the strategy provides the basis for planning and undertaking ambitious actions to bring about change and the means for effecting that change through collaborative working, bids for funding and planning and organisation.

Wide consultation highlighted the following issues that individuals and groups in the county wanted to see addressed:

- The need to support and nurture talent, including local artists working across all genres and art forms;
- The need to build a stronger and more visible creative economy;
- The need to increase participation and promote inclusion in cultural and creative activity;
- The need to engage more effectively with children and young people;
- The need to raise the profile of Hereford and Herefordshire as a great place to live, work and visit.

In order to address these issues the Priority Objectives have been set:

1. GREAT PLACE - A resilient cultural infrastructure that makes Herefordshire a great place to live, work and to visit;
2. CHILDREN AND YOUNG PEOPLE - Listening to children and young people, and connecting them to culture and connectivity;
3. CREATIVE ECONOMY - Building and supporting vibrant creative enterprises;
4. CULTURAL DEMOCRACY - The arts and heritage are for everyone;
5. CULTURAL TOURISM - Raising Herefordshire's national and international profile.

These are great foundations on which to build the Leominster HAZ Cultural Programme and ensure it not only reflects the cultural ambitions of Leominster but forms part of the countywide cultural offer. Herefordshire Cultural Consortium, a dynamic consortium of arts, culture and heritage groups, local government and businesses will be an excellent body for Leominster Cultural Consortium to engage with and learn from. That said, Herefordshire Council and Leominster Town Council are already keen and engaged supporters of cultural initiatives within Herefordshire.

Leominster Town Council supports the Leominster Festival, which runs annually at the beginning of June, and the Leominster Family Festival (part of the Hereford Courtyard outreach programme).

Herefordshire Council operates the Leominster Library, which is located in the centre of town and provides a space for community engagement events and exhibitions. Leominster Town Council also has access to venues that are suitable for hosting exhibitions and performances. The Secret Garden behind the Council Offices at 11 Corn Square is currently being developed as an event space and a

specialised exhibition space. The Stable Gallery which provides the opportunity to local artists to display their work has already been developed on the ground floor of the Council Offices. The Town Council also offers a Box Office service (ticket sales and promotion/advertising) for local events and performances, provided via the Tourist Information Centre.

In addition, the Town Council currently provides a curator for Leominster Museum, so there is scope for the Museum's temporary displays to be tailored to link with the cultural programme content. The website and app project being developed through the main HAZ Programme will also provide the opportunity to promote the Cultural Programme. One of the proposed projects is to make material available to a much wider audience, encouraging more people to take an interest in Leominster's rich history and heritage.

Both Herefordshire Council and Leominster Town Council have extensive communication networks that can be used to promote and advertise the Cultural Programme, including email mailing lists, social media accounts, local newsletters and public notice boards and local and regional press. The Town Council also supports cultural outreach to isolated and deprived areas of the town via the Leominster Team initiative.

There is already a wealth of local talent in Leominster including crafts people, artists and performers as well as a number of groups and organisations involved in cultural initiatives within the town. The Consortium will be a welcome opportunity to bring these together to feed into the countywide and national cultural programmes.

Examples of existing groups that will be invited to contribute to the development of Leominster Cultural programme include: Leominster Festival, Playhouse Cinema, Fetch Theatre, About Face Theatre, Lion Ballroom, Leominster Priory, Leominster Choral Society, Leominster Stitchers, Leominster Quilters, Leominster in Bloom, Grange Court, Leominster Museum, Leominster Community Choir, One Vision School of Arts, U3A Art, Leominster Primary School, Earl Mortimer College, Leominster Photographic Club, Leominster Morris Dancers, Marches Scribes, Leominster Area Polish Society, Leominster Twinning Association, local galleries and music venues.



## Project Summary Table

The following table is a summary of the projects that we propose will meet the aims and objectives of the Heritage Action Zone Programme.

Project	Start date	End date	Project Totals (all funders)
Premises Renovation Fund	01/04/2020	31/12/2023	£1,550,000
Restoration of key buildings	01/04/2020	31/12/2023	£750,000
Reimagining Corn Square	01/04/2022	30/03/2023	£751,000
Public Realm	01/04/2022	30/03/2023	£1,353,000
Town Wi-Fi and footfall counters	01/04/2020	31/07/2020	£80,000
Heritage web based app	01/04/2020	31/12/2023	£14,000
Historic Area Assessment/ Conservation Area Appraisal	01/04/2020	31/03/2021	£12,500
Listing Enhancement Project/Dating	01/08/2021	31/12/2021	£4,500
HAZ Project Officer	01/01/2020	31/03/2025	£85,000
<b>Totals</b>			<b>£4,600,000</b>

## Projects

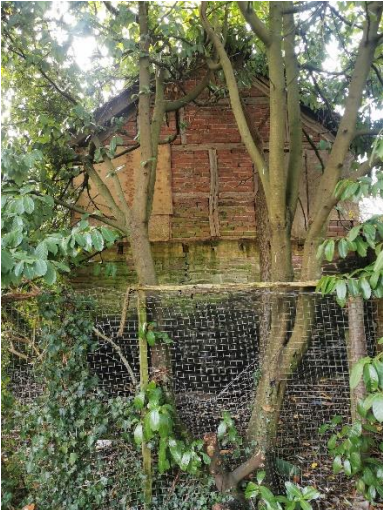
### Project Template

<b>Project Title</b>	Property Renovation Fund
<b>Description of Project and its objectives</b>	<p>The main aim of the Property Renovation Fund is to encourage landlords, tenants and business owners to invest in repairs and reinstatement of shops and premises within Leominster town centre. Improvements to the distinctive aesthetic of Leominster’s streets and buildings is vital to the town’s offer as a retail and tourist destination.</p> <p>There are over 200 designated heritage assets in Leominster conservation area. These are a key component of the visual attractiveness and character of the town centre. Their protection and reinstatement is important and requires urgent intervention.</p> <p>There is a significant number of late 19<sup>th</sup>/20<sup>th</sup> Century shopfronts retaining traditional features including moulded hood, fascia-board, consoles, pilasters, mullions and recessed doorways. However, there are some shopfronts associated with recent developments inserted into earlier buildings. These include very large windows and dominant illuminated fascias that conceal original architectural features.</p> <p>Unfortunately, protection of these important assets is becoming increasingly difficult as the cost of conservation discourages landlords’ and business owners from undertaking the repairs needed to prevent further deterioration.</p> <p>The emphasis of the Property Renovation Fund will be:</p> <ul style="list-style-type: none"> <li>• Repairs to the external fabric of the building to preserve historic details such as window repairs and casements, roofing, pointing and rainwater goods;</li> <li>• Repair and reinstatement of authentic external decorative features;</li> <li>• Removal of inappropriate modern shopfronts and signage and reinstatement of traditional shopfronts and signage;</li> <li>• Internal repairs and works that enable the re-use/improved use of vacant/underused accommodation and upper floors to enhance viability and sustainability;</li> <li>• access during renovations to identify and record key historic fabric that improves understanding of age and construction to feed into the heritage interpretation and dating projects</li> </ul> <p>Following a brief conditions appraisal of these assets, there are six buildings currently at risk and another ten buildings which have are categorised as being vulnerable. The appraisal indicates that the bare minimum remedial action is going to cost around £450,000.</p> <p>We are allocating a large portion of the budget to this project in order that, alongside the necessary restoration to protect the historic features</p>

	<p>of the buildings, alternative and/or additional uses are considered, especially if additional residential or visitor accommodation can be provided in upper floors of the buildings.</p> <p>Better use of planning policy and enforcement measures will have a dual purpose for the HAZ programme. In the first instance the grant can be used to incentivise premises owners to remove inappropriate signage and restore buildings to acceptable standards where they would otherwise not have fully funded this remedial works themselves. Secondly, The HAZ process will encourage the better use of enforcement to ensure that future developments are carried out to more acceptable standards.</p>			
<b>Project Category (delete as appropriate)</b>	Capital works (repair/restoration of historic building) Shop front/public realm improvement			
<b>Estimated Outputs</b>	1000 sqm commercial space renovated 30 Number of shopfronts restored 5 x new residential units brought back into use through renovation 5x new rooms for visitor accommodation			
<b>Project Leader (if known)</b>	HAZ Project Officer			
<b>Project Leader's contact details</b>	tbc			
<b>Any project partner organisations' contact details</b>	Historic Buildings Officer Planning Department Leominster Town Council Historic England			
<b>Budget</b>	HE £675,000	LA £100,000	Other sources £775,000	
<b>Start Date</b>	01/04/2020			
<b>End Date</b>	31/12/2023			

## Project Template

<b>Project Title</b>	Restoration of Historic Buildings
<b>Description of Project and its objectives</b>	<p>Preserving the distinctive aesthetic of Leominster’s rich heritage is vital to the town’s offer as a retail and tourist destination.</p> <p>Unfortunately, there are a number of key historic buildings that are currently vacant and have fallen into a poor state of repair. Most notably, the Royal Oak, a (Grade II) large Georgian (late 18th Century) building of three storeys, in brick and stucco, occupying a prominent corner position. This has recently been purchased by a new owner and we are keen to work with the new owner to restore the property and provide much needed visitor accommodation. Bare minimum works to this are estimated as £210,000, however, this is just external works and the full cost of renovation is likely to be considerably more.</p>  <p>The conditions appraisal also highlighted that the Conservative Association’s Office in Corn Square (Grade II) also requires substantial investment with the minimum amount of renovation likely to be in the region of £40,000.</p>  <p>In addition to restoration projects, we would welcome new uses that ensure historic buildings are brought back into economic use. An example would be the creation of visitor accommodation unused buildings. See an</p>

	<p>example below that is situated on the site of the Old Rectory. An initial assessment indicates that £40,000 would be required for renovation.</p>  <p>We have allocated a provisional budget of £750,000 to support the renovation of key buildings</p>			
<b>Project Category (delete as appropriate)</b>	Capital works (repair/restoration of historic building) Shop front/public realm improvement			
<b>Estimated Outputs</b>	4 x heritage assets and key buildings restored 4 x number of assets removed from local heritage at risk listings Improved public access into 2 key buildings 2 x number of new rooms for visitor accommodation 1 x number of hotel/guesthouse units repaired			
<b>Project Leader (if known)</b>	HAZ Project Officer/Historic Buildings Officer			
<b>Project Leader's contact details</b>	tbc			
<b>Any project partner organisations' contact details</b>	Historic England Planning Services Historic Buildings Officer			
<b>Budget</b>	HE £600,000	LA £0	Other sources £150,000	
<b>Start Date</b>	01/04/2020			
<b>End Date</b>	31/12/2023			

## Project Template

<b>Project Title</b>	Redesigning Corn Square
<b>Description of Project and its objectives</b>	<p>Corn Square has been at the centre of Leominster life for centuries. Markets have been held in the square since the early 13th century, attracting visitors and enabling local people to trade with each other. Corn Square also has a long history of being a focus for community life, having hosted public meetings, civic events, plays, hiring fairs, and entertainments – including several annual events that are enjoyed by Leominster’s residents today. Corn Square is surrounded by unique buildings exemplifying a wide range of architectural styles and periods, which together help to illustrate Leominster’s long history. Several of the buildings (some dating from as far back as the 15<sup>th</sup> century) retain many of their original features.</p>  <p>Feedback from residents and agencies received through consultation, unsolicited correspondence, and highways assessments have identified a number of issues that currently prevent Corn Square from realising its full potential as a community venue and heritage space. These concerns include:</p> <ul style="list-style-type: none"> <li>• Inadequate infrastructure to support local demand for a diverse range of events and markets</li> <li>• Health and safety concerns regarding large numbers of vehicle movements in a space with high levels of pedestrian use</li> <li>• Damage to the public realm caused by inadequate drainage, HGV access and high levels of vehicle use</li> <li>• Traffic congestion caused by cars waiting to use free short stay parking spaces limits pedestrian use of space and impacts on flow of traffic through the centre of town</li> <li>• High levels of air pollution due to idling cars waiting for parking spaces</li> <li>• Poor access for wheelchairs and pushchairs</li> </ul> <p>These issues not only limit use of Corn Square, but additionally prevent visitors and residents from being able to identify, appreciate and enjoy the rich heritage of this significant town landmark.</p>

	<p>Recent consultation has highlighted demand for a more frequent and more diverse range of events for residents in the town. The Mapping Leominster’s Youth Report (April 2018) indicated that young people are keen to see more events take place within the town, with a particular emphasis on cinema and music events – both of which are not adequately supported by the existing Corn Square layout/infrastructure. Corn Square provides a central, hard surface space for events that does not draw visitors and event attendees away from businesses in the town centre.</p> <p>The Leominster Transport Strategy published by Balfour Beatty in February 2019 identifies Corn Square as a key street within the town for pedestrian traffic and concludes that it is “...an ideal area for utilisation as an events space and should be promoted as such.”</p> <p>The Redesigning Corn Square project will address concerns raised through consultation whilst transforming the way that the square is used, accessed and appreciated. This will be achieved by:</p> <ul style="list-style-type: none"> <li>• Resurfacing Corn Square and installing appropriate drainage</li> <li>• Installing additional electricity access points and additional events infrastructure (<i>as identified through consultation</i>)</li> <li>• Implementing a shared usage scheme for pedestrians and vehicles that is safe for users and maximises use of the space. The Leominster Transport Strategy (Balfour Beatty, Feb 2019) concludes that implementing a part-time pedestrian zone for Corn Square would improve safety and quality of experience for visitors, residents and employees, while supporting the wider economic vitality of the town</li> <li>• Implementing limitations on access for HGVs</li> <li>• Removing barriers to wheelchair and buggy access</li> <li>• Developing a revised short term parking scheme for Leominster Town Centre</li> <li>• Enhancing the square’s aesthetic and preserving its architectural history through re-decoration and conservation work to buildings surrounding Corn Square – to include the Leominster Conservative Club. Dependent on assessment of the work required, this work will be supported by either the Restoration of Historic Buildings Grant scheme or the Premises Renovation Grant.</li> </ul>
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Corn Square is a much-loved and highly valued space for Leominster's residents. As such, consultation is an important first step in this project. Specifically, consultation will involve the following topics and stakeholder groups:

- Event organisers
  - Includes Leominster Food Fayre, Leominster Festival, Leominster May Fair, Markets Officer, Organisers for the annual Christmas Lights switch-on.
  - Topics to be consulted on:
    - Infrastructure requirements and locations (e.g. electricity and placement of Wi-Fi points)
    - Access requirements for equipment delivery and staging/entertainment
- Local businesses
  - Topics to be consulted on:
    - Views on parking requirements
    - Access needs for customers
    - Access needs for deliveries
    - Options for involving local businesses in town events
- Residents and visitors
  - Topics to be consulted on:
    - Parking requirements
    - Shopping and visiting habits
    - Event requests
- Community groups
  - Topics to be consulted on:
    - Event ideas
    - Current and desired uses for the square
    - Heritage groups: ideas for promoting Corn Square's history
- Disability groups
  - Topics to be consulted on:
    - Access requirements (wheelchairs, pushchairs, visual impairments)



	The results of the early consultation work will be included in the detailed designs. Project implementation will take place in years two/early three with the redesigned space being available in years 3 & 4.			
<b>Project Category (delete as appropriate)</b>	<i>Capital works (repair/restoration of historic building) Shop front/public realm improvement</i>			
<b>Estimated Outputs</b>	<ul style="list-style-type: none"> <li>• Resurfacing of Corn Square and installation of appropriate drainage</li> <li>• Installation of electricity points and events infrastructure (as identified through consultation)</li> <li>• Implementation of a shared usage scheme for pedestrians and vehicles</li> <li>• Implementation of limitations on access for HGVs</li> <li>• Reduced emission levels in Corn Square</li> <li>• Improved take up of market stalls at weekly and monthly markets</li> <li>• Improved access to Corn Square for wheelchairs and pushchairs</li> <li>• Conservation work to buildings surrounding Corn Square – to include the Leominster Conservative Club</li> <li>• Increased awareness of Corn Square’s history and heritage for residents and visitors</li> <li>• Revised short term parking scheme for Leominster Town Centre</li> <li>• Additional events in Corn Square These may include: open air cinema, music and theatre performances, ice-skating rink, beach themed summer event.</li> </ul>			
<b>Project Leader (if known)</b>	Senior Economic Development Officer/HAZ Project Officer			
<b>Project Leader’s contact details</b>	TBC			
<b>Any project partner organisations’ contact details</b>	<ul style="list-style-type: none"> <li>• Leominster Town Council</li> <li>• Leominster Market Manager</li> <li>• Leominster Festival</li> <li>• Leominster Food Fayre</li> <li>• Christmas Lights Switch On – event organiser</li> <li>• Abe Morris (Leominster May Fair)</li> <li>• Retailers in Corn Square</li> <li>• Herefordshire Council Departments</li> <li>• Wider community engagement via consultation</li> </ul>			
<b>Budget</b>	HE £250,000	LA £500,000	Other sources £	
<b>Start Date</b>	April 2020 (Stage 1 - consultation)			
<b>End Date</b>	March 2022			

## Project Template

<b>Project Title</b>	Public Realm
<b>Description of Project and its objectives</b>	<p>The objectives of the public realm project are to improve accessibility, identity and quality that enhance the historic character and viability of the town centre.</p> <p>Part of the public realm improvements will also include improvements to signage. The objective is to provide a sign scape that is clear, consistent, un-cluttered and informative.</p> <p>As well as costly maintenance repairs, feedback from residents, visitors and businesses have highlighted a number of key issues that detract from the accessibility and attractiveness of the town centre:</p> <ul style="list-style-type: none"> <li>• Damaged and badly worn kerbstones and pavements;</li> <li>• Numerous trip hazards;</li> <li>• Significant depressions in the paved areas of the highway;</li> <li>• Poor quality patching following utility works;</li> <li>• Repairs not matching existing materials;</li> <li>• Large puddles forming;</li> <li>• Narrow pavements;</li> <li>• Poor safety;</li> <li>• Lack of street furniture, especially seating;</li> <li>• Very poor signage;</li> <li>• High kerbs;</li> <li>• Awkward and dangerous crossing points;</li> <li>• Insufficient signage, legibility and general lack of information to orientate visitors and shoppers; and</li> <li>• Unattractive aesthetic and uncared for look in the town centre generally.</li> </ul> <p>Unfortunately, these issues have arisen due to the mismatch in lower quality, and less durable, materials that were installed some 25 years ago. Below is an example of poor repairs to road surfaces in Corn Square.</p>  <p>The public realm review recently undertaken (commissioned by Leominster Town Council) has shown how the use of more durable materials can provide the quality and sustainability we expect from public realm improvements today.</p>

The review provides a good overview of the scope of works and includes a suggested design guide, phasing plan and high level costings. This review could be used for consultation.

The council will follow public procurement rules with regards to the procurement of public realm which will include the potential to use existing procured partners such as BBLP.

Sketch views of key streets that have been prepared as part of the public realm review are below:

### Sketch Views



Corn Square



West Street



High St/South St/West St Jct

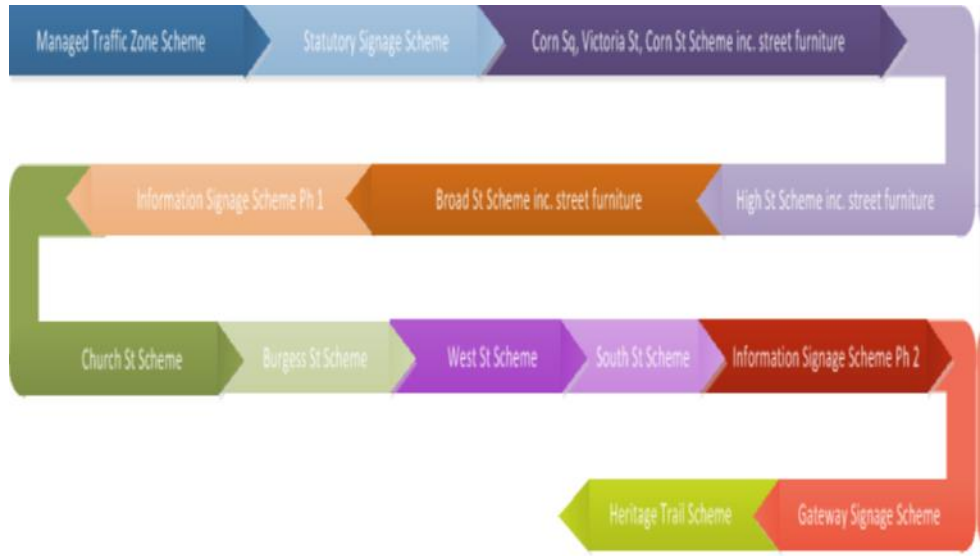


Broad Street

### Indicative Material



Herefordshire Council is aware that if Historic England are expected to make a contribution to public realm improvements, then materials must be informed by Historic England's 'Streets for All' guidance. Suggested phasing of the scheme is as follows:



<b>Project Category</b>	Shop front/public realm improvement
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<b>(delete as appropriate)</b>				
<b>Estimated Outputs</b>	Public realm improved in x streets and sqm of public realm improved Xx number of improved pedestrianised areas			
<b>Project Leader (if known)</b>	Head of Infrastructure Delivery/HAZ Project Officer			
<b>Project Leader's contact details</b>	tbc			
<b>Any project partner organisations' contact details</b>	Leominster Town Council Head of Infrastructure Delivery Assistant Director for Highways			
<b>Budget</b>	HE £176,300	LA £1,151,700	Other sources £25,000	
<b>Start Date</b>	Consultation September 2019/Delivery April 2020			
<b>End Date</b>	March 2021			

## Project Template

<b>Project Title</b>	Improved Town Centre Wi-Fi																																							
<b>Description of Project and its objectives</b>	<p>The objectives of town centre Wi-Fi are three-fold. The square currently hosts community events, along with a weekly market and monthly farmers' markets. Market trading in the town centre is limited, as the lack of Wi-Fi prevents market traders from taking electronic card payments. This limits their customer base and reduces the attractiveness of the market for stall-holders. There is scope to expand market trading to include the rich base of local food producers who are not adequately served by the current market offer. Sales of local produce in the Tourist Information Centre, and the success of the annual food fayre, demonstrate an appetite for goods of this sort, which will in turn increase footfall. The range of events held in Corn Square are similarly limited by a lack of suitable infrastructure, including electricity access, poor surfacing and uneven paving which has been addressed in complementary projects.</p> <p>The second benefit to having Wi-Fi points in key areas is the ability to track footfall, footfall movements and dwell times within a geography. Hereford Business Improvement District has seen the benefits that these can bring to businesses and key stakeholders. The following movement and dwell time maps are produced weekly and provide valuable information to key stakeholders within a given geography. This also includes the footfall percentage increases and decreases compared to previous weeks, months and years. This is useful in gaining insights into what drives and attracts footfall, such as events/weather/ promotions and can help focus initiatives around increasing footfall. These systems are completely GDPR compliant. The introduction of town Wi-Fi will be most beneficial in monitoring the impact of the HAZ programme as footfall can be measured, both before and after the intervention.</p>  <table border="1" data-bbox="456 1265 1369 1966"> <caption>Footfall Data from Heatmap</caption> <thead> <tr> <th>Location</th> <th>Visitors</th> <th>% Change</th> </tr> </thead> <tbody> <tr> <td>High Town</td> <td>17.5k</td> <td>-12%</td> </tr> <tr> <td>Widemarsh Street</td> <td>17k</td> <td>-12%</td> </tr> <tr> <td>Maylords</td> <td>10.5k</td> <td>-11%</td> </tr> <tr> <td>Commercial Rd</td> <td>9.5k</td> <td>-22%</td> </tr> <tr> <td>Commercial St</td> <td>34k</td> <td>-15%</td> </tr> <tr> <td>Union St</td> <td>5k</td> <td>-11%</td> </tr> <tr> <td>St. Owen St</td> <td>8.5k</td> <td>-11%</td> </tr> <tr> <td>Church St</td> <td>7k</td> <td>-5%</td> </tr> <tr> <td>King Street</td> <td>14k</td> <td>-10%</td> </tr> <tr> <td>Broad Street</td> <td>21k</td> <td>-3%</td> </tr> <tr> <td>West Street</td> <td>6.5k</td> <td>-3%</td> </tr> <tr> <td>Eign Gate</td> <td>10k</td> <td>-15%</td> </tr> </tbody> </table>	Location	Visitors	% Change	High Town	17.5k	-12%	Widemarsh Street	17k	-12%	Maylords	10.5k	-11%	Commercial Rd	9.5k	-22%	Commercial St	34k	-15%	Union St	5k	-11%	St. Owen St	8.5k	-11%	Church St	7k	-5%	King Street	14k	-10%	Broad Street	21k	-3%	West Street	6.5k	-3%	Eign Gate	10k	-15%
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	<p>The third benefit of having Wi-Fi in the town centre is to meet visitors' needs; enhancing their experience by providing access to the internet at no cost and without restrictions on time. Access to the internet will encourage longer dwell times and provide businesses with new means of engaging with customers. Businesses can reach out to customers in ways they haven't been able to before.</p> <p>A complementary project is the heritage trail and heritage app/website. Wi-Fi will be required to enable full functionality of the app e.g. to provide the user with details of the history of a building in Broad Street whilst they are at that exact location.</p>			
<b>Project Category (delete as appropriate)</b>	<p>Cultural Programme (cultural events/ publications/marketing)  Community engagement (workshops/events/research)  Capacity-building (training/skills/education)</p>			
<b>Estimated Outputs</b>	<p>Increase in the number of visitors  Improved marketing channels  Improved trading conditions for stall holders and businesses  Enhancing the visitor experience and providing a means to communicate the HAZ project to a wider audience  Fundamental to the operation of the heritage app – enabling visitors to use fully throughout Leominster, improving knowledge of culture and heritage</p>			
<b>Project Leader (if known)</b>	Economic Development Officer/HAZ Project Officer			
<b>Project Leader's contact details</b>	tbc			
<b>Any project partner organisations' contact details</b>	<p>Fastershire Broadband Team/Grant  Full Fibre Ltd (Broadband Infrastructure Provider – Leominster)  Leominster Town Council  Balfour Beatty Living Places – utilities maps  Development Control Department</p>			
<b>Budget</b>	HE £	LA £40,000	Other sources £40,000	The provider is putting Wi-Fi points into Corn Square as part of an existing contract – this is for additional Wi-Fi points and enhanced services.
<b>Start Date</b>	April 2020 to allow for relevant permissions and identification of power points.			
<b>End Date</b>	July 2020			

### Project Template

<b>Project Title</b>	Leominster Heritage Web App
<b>Description of Project and its objectives</b>	<p>To design and develop a web application with a focus on:</p> <ul style="list-style-type: none"> <li>• providing information to local residents and visitors about the town and its heritage;</li> <li>• giving information and updates on the High Street Heritage Action Zone scheme and its progress;</li> <li>• providing a brief history of the town and details on key heritage sites;</li> <li>• showcasing the town’s Cultural Programme;</li> <li>• promoting the town’s businesses and retailers; and</li> <li>• providing a tool for promoting and celebrating the work of heritage groups within the town.</li> </ul> <p>Design priorities:</p> <ul style="list-style-type: none"> <li>• delivering information quickly and easily to key audiences;</li> <li>• primarily targeted at users of mobile devices but must also be available to people at home on their PCs;</li> <li>• accessible and engaging for users of different ages, backgrounds and abilities (achieved through consultation with local schools and disability support groups);</li> <li>• easy-to-use content management system that allows regular updates by project partners; and</li> <li>• analytics data to monitor engagement levels and guide content development.</li> </ul> <p>5 Key Content Areas:</p> <p>1. High St Heritage Action Zone Scheme</p> <ul style="list-style-type: none"> <li>○ Blog-style updates on progress and specific scheme projects (e.g. photographs of restoration works);</li> <li>○ Poll functionality to allow users to participate in project consultation via the web app;</li> <li>○ Following the completion of the HAZ scheme, this section of the app will be used to provide updates on other heritage projects taking place in the town (in collaboration with local heritage groups).</li> </ul> <p>2. Overview of Leominster’s History</p> <ul style="list-style-type: none"> <li>○ An overview/timeline of Leominster’s history, with specific pages on each of the town’s key heritage sites e.g. Priory, Grange Court, Forbury Chapel (developed in partnership with local heritage sites).</li> </ul> <p>3. Heritage Trails</p> <ul style="list-style-type: none"> <li>○ Initial content will include existing black/white building and village trails, and the LEADER funded heritage interpretation board trail to be completed in March 2020;</li> </ul>



	<ul style="list-style-type: none"> <li>○ Additional trails to be developed as part of the High Street Heritage Action Zone scheme: high street buildings/shops trail, children’s trail, antiques trail;</li> <li>○ Promotion and distribution of trails developed by local heritage organisations e.g. Civic Society bridges trail.</li> </ul> <p>4. Cultural Programme</p> <ul style="list-style-type: none"> <li>○ A space to enable residents and visitors to engage with Leominster’s Cultural Programme as it develops;</li> <li>○ To include an events listing;</li> <li>○ Developed in collaboration with local arts organisations.</li> </ul> <p>5. Shopping in Leominster</p> <ul style="list-style-type: none"> <li>○ Support for Leominster’s retailers;</li> <li>○ Encouraging links between current shops and the heritage of the buildings that they are located in;</li> <li>○ Links to buildings/shop trail;</li> <li>○ To ensure sustainability of the project, a small annual subscription from retailers will cover the cost of hosting fees following the end of the HSHAZ project.</li> </ul>
<b>Project Category</b> <b>(delete as appropriate)</b>	<p>Cultural Programme (cultural events/ publications/marketing)</p> <p>Community engagement (workshops/events/research)</p> <p>Capacity-building (training/skills/education)</p> <p>Other (Heritage promotion)</p>
<b>Estimated Outputs</b>	<ol style="list-style-type: none"> <li>1 Platform for promotion of Leominster’s Cultural Programme</li> <li>2 An attractive, engaging and accessible web application for promoting Leominster’s heritage and the HSHAZ scheme</li> <li>3 An additional channel for consulting on HSHAZ projects</li> <li>4 Promotional support for retailers and businesses</li> <li>5 Promotional support for local heritage sites and heritage groups</li> <li>6 Improved visitor experience and increased visit duration</li> <li>7 Training for retailers/businesses on how to develop promotional content for online use*</li> <li>8 Training for local heritage groups on using online technologies to promote projects and communicate research outputs*</li> </ol> <p>*the number and format of training sessions for retailers and local heritage groups will be guided by both their needs (identified via consultation) and also the advice of any Historic England staff offering in-kind support to the project.</p>
<b>Project Leader</b> <b>(if known)</b>	HAZ Project Officer/Leominster Town Council Projects and Grants Officer
<b>Project Leader’s contact details</b>	TBC

<p><b>Any project partner organisations' contact details</b></p>	<ul style="list-style-type: none"> <li>• Leominster Town Council</li> <li>• Leominster Country Tourism Association</li> <li>• Heritage sites: The Priory, Grange Court, Forbury Chapel, Lion Ballroom</li> <li>• Heritage organisations: Leominster Museum, Leominster Area Regeneration Company (LARC), Leominster Historical Society, Leominster Civic Society</li> <li>• Accessibility and engagement advice: ECHO, Dementia Friendly Leominster, Marches Family Network, Leominster Primary School, Earl Mortimer College</li> <li>• Local retailers</li> </ul> <p>In-kind support from Historic England is requested to assist with delivery of this project. Specifically:</p> <ul style="list-style-type: none"> <li>• linking the project team with groups who have developed similar apps in other locations</li> <li>• assisting with training for local heritage groups on new techniques for sharing knowledge/expertise and engaging local residents</li> </ul>			
<p><b>Budget</b></p>	<p>HE £7,200 + in kind</p>	<p>LA £1,800</p>	<p>Other sources £HE in kind Leader funding already secured for interpretation and heritage trails project</p>	
<p><b>Start Date</b></p>	<p>April 2020. Pages and content will be delivered in phases – from 2020 – 2024. It is important that the High Street Heritage Action Zone Scheme section is up and running as soon as possible, as it will form a key channel for communicating the aims, vision and progress of the scheme with local residents and, additionally, will provide a tool for encouraging engagement from local residents to enable consultation.</p>			
<p><b>End Date</b></p>	<p>March 2023</p>			

## Project Template

<b>Project Title</b>	Conservation Area Appraisal Review/Policy		
<b>Description of Project and its objectives</b>	<p>The purpose of this project is to appoint a consultant to provide an up to date Historic Area Assessment and a review of the boundaries of the Leominster Conservation Area.</p> <p>It is important that conservation areas are regularly reviewed to provide up to date management plans, which inform future developments and ensure they are aligned to the local character of the area.</p> <p>It would be timely to carry out this piece of work alongside similar projects as part of the HAZ scheme. Unfortunately, there are currently insufficient resources within the team do this important piece of work at present.</p> <p>A review of the policies to safeguard the investment area will also be addressed as part of the HSHAZ programme to ensure the positive impact of scheme.</p> <p>At present policies LD1, LD4 and SS6 of the adopted Herefordshire Core Strategy are relevant to the protection of heritage assets in planning terms.</p>		
<b>Project Category (delete as appropriate)</b>	Heritage assessment or research (Conservation Area Appraisal/ archaeology/listing)		
<b>Estimated Outputs</b>	Historic Area Appraisal Report		
<b>Project Leader (if known)</b>	Senior Economic Development Officer/Historic Buildings Officer		
<b>Project Leader's contact details</b>	tbc		
<b>Any project partner organisations' contact details</b>	Historic England Leominster Civic Society Archaeology Department – Herefordshire Council Planning Department		
<b>Budget</b>	HE £5,000	LA £5,000	Other sources £HE&HC in kind
<b>Start Date</b>	01/04/2020		
<b>End Date</b>	31/03/2021		

## Project Template

<b>Project Title</b>	Listing Enhancement Project – Historic Environmental Records/NHLE			
<b>Description of Project and its objectives</b>	<p>The objective of the listings project is to undertake a reassessment of listed buildings and heritage assets. This process may also identify additional buildings and structures for possible statutory listing. The information will be input into the local listings and HER register.</p> <p>The second phase of this work will be the local HER/NHLE reconciliation for Leominster. This will follow on from the wider Herefordshire project (7829) which was awarded Historic England funding under the national call to be part of the reconciliation of HERs and NHLE listings.</p> <p>The above project has secured funding to help with the data entry for one year. This could be a follow on project which would allow sufficient time for archaeologists to carry out the assessments and surveys in Leominster.</p> <p>Once these surveys have been done and the information gathered, this project could fund additional support for data entry to ensure that Leominster’s HER is also included within and reconciled with NHLE.</p> <p>There will also be volunteering opportunities to assist with data entry. The listings project will encourage volunteers to participate in heritage related activities.</p>			
<b>Project Category (delete as appropriate)</b>	Heritage assessment or research (Conservation Area Appraisal/ archaeology/listing)			
	Capacity-building (training/skills/education)			
<b>Estimated Outputs</b>	5 volunteer opportunities 200 updated HER listings for Leominster 200 NHLE listings			
<b>Project Leader (if known)</b>	HAZ Project Officer/HER Manager			
<b>Project Leader’s contact details</b>	tbc			
<b>Any project partner organisations’ contact details</b>	Herefordshire Archaeology Local Heritage Groups Historic Buildings Surveyor			
<b>Budget</b>	HE £1,500	LA £1,500	Other sources £HC & HE in kind	
<b>Start Date</b>	Surveys Summer 2021 Data input/listings updated 2021			
<b>End Date</b>	Listings completed/NHLE reconciliation 2021			

## Funding Sources Table

Project	Start date	End date	HE funding	HC funding	Match other	In kind match	Total
Premises Renovation Fund	01/04/2020	31/12/2023	£675,000	£100,000	£775,000		£1,550,000
Restoration of key buildings	01/04/2020	31/12/2023	£600,000		£150,000		£750,000
Redesigning Square	01/04/2022	30/03/2023	£250,000	£500,000		£1,000	£751,000
Public Realm	01/04/2022	30/03/2023	£176,300	£1,151,700	£25,000		£1,353,000
Town Wi-Fi and footfall counters	01/04/2020	31/07/2020		£40,000	£40,000		£80,000
Heritage web based app	01/04/2020	31/12/2023	£7,200	£1,800		£5,000	£14,000
Historic Area Assessment/ Conservation Area Appraisal	01/04/2020	31/03/2021	£5,000	£5,000		£2,500	£12,500
Listing Enhancement Project/Dating	01/08/2021	31/12/2021	£1,500	£1,500		£1,500	£4,500
HAZ Project Officer	01/01/2020	31/03/2025	£85,000	ED Revenue budget			£85,000
<b>Totals</b>			£1,800,000	£1,800,000	£990,000	£10,000	£4,600,000

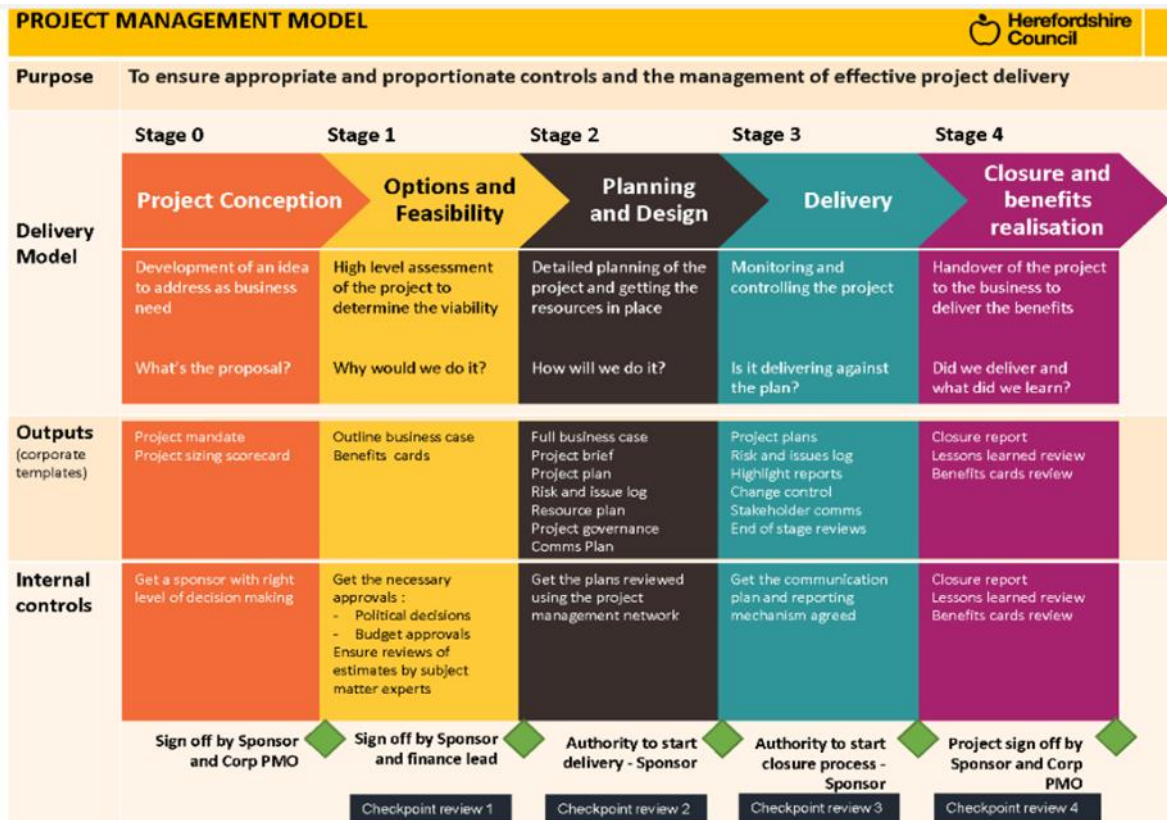
## Project Management Controls – VERTO

Herefordshire Council uses a Project Management Toolkit called VERTO to ensure appropriate and proportionate controls are in place to ensure effective project delivery across the organisation.

There are corporate standards for completion of project management information at each gateway stage. The Leominster High Street Heritage Action Zone Programme will be a project in the corporate programme and will be managed using the Verto project management model.

Verto training and support is offered to all Officers who will be required to use Verto to manage their projects. The HAZ Project Officer will be given appropriate training on the use of Verto through Herefordshire Council's Project Management training.

See extract below which shows at a glance how the project management toolkit is used to manage projects. Monthly board meetings are held to ensure that projects remain on track and that any issues and risks that arise are adequately mitigated. Verto will also aid the HAZ monitoring and evaluation work.



## Monitoring and Evaluation

As Verto will be used to ensure effective project management of the HAZ Programme, regular monitoring and evaluation will be an integral part of the programme delivery.

All projects have measurable outcomes attached to them and so can be easily monitored. Examples include:

- Footfall monitoring before and after intervention;
- Number of historic buildings renovated and restored;
- Number of shopfronts improved;
- Sqm of commercial and residential space brought back into use;
- Sqm of public realm improved;
- Heritage web app developed;
- Community engagement events held;
- Number of training events and volunteering opportunities provided;
- Development of a cultural consortium;
- Updating of the Conservation Area Appraisal and Listed Buildings Register;

Also, by their very nature, a large number of the projects require physical interventions so the outcomes are very tangible.

Herefordshire Council operates a number of externally funded programmes and has established processes and procedures in place to monitor performance against targets. More recently, Herefordshire has commissioned its own 'summative assessments' as part of these funding programmes. These assessments (evaluations) provide valuable insight into the impacts the schemes have had on the local area as well as their performance when compared to similar national schemes. They look at value for money, short and long-term benefits of the interventions as well as overall impact. The analysis also takes into account factors such as rural isolation and deprivation and whether the schemes have been helpful in tackling these problems. The HAZ Steering Group would be agreeable to doing a similar exercise for the HAZ Programme.

The HAZ Steering Group is also agreeable to working with Historic England and their appointed consultants to carry out their own evaluation of the scheme. It is envisaged the regular updates against performance targets and milestones will be reported as part of the claims process as well as detailed annual reports outlining performance to date.

An early step in the monitoring and evaluation process for the Leominster HAZ project is to factor in self-sustaining elements into the projects. Examples include the a small charge to businesses who feature on the web app - to cover the annual hosting charges - and Leominster Town Council making a small pot of funding available for shopfront repairs once the HAZ Programme has finished. We will also ensure that historic buildings are maintained by building a clause into the funding agreement and using enforcement powers if this is breached.

Building self-sustaining elements into projects at an early stage will ensure the impacts of the HAZ programme, and its legacy, survive long into the future.

## Risks and Mitigations

The risk assessment below sets out potential risks throughout the lifetime of the programme. The risk assessment also takes into account the likelihood of the risk, the impact it would have on the overall programme and necessary actions to mitigate the risk. The risk assessment will be reviewed regularly by the HAZ Project Officer. The risk assessment will be an agenda item at the Steering Group and the Project Officer will flag up any areas of concern to which the Steering Group will advise on and the appropriate course of action.

Description of Risk	Likelihood	Impact	Mitigation
Delay in drawing down HE grants	Low	Medium	Herefordshire Council has underwritten numerous grant programmes in the past and has made a forward funding facility available to enable secondary grant recipients to be paid prior to drawing down funding through the quarterly claims process.
HE grants disputed – i.e. Herefordshire Council pays out grant for restoration and HE disagree with grant award	Low	Medium	As grants are paid in advance of drawing down HE monies, there may be a dispute about the eligibility of certain payments. Herefordshire Council has extensive experience of delivering externally funded schemes and will mitigate against this by ensuring all applicants go through a due diligence process, and meet the eligibility criteria, prior to being awarded a grant.
Uptake of restoration grants lower than expected	Medium	Medium	All eligible applicants will be made aware of the grant opportunities. It is proposed that enforcement of unacceptable renovations and inappropriate signage will encourage shop owners to take up the grant to remediate.
Stakeholders want to take forward projects outside of scope of project	Medium	Medium	Partners and stakeholders will be made aware of the criteria and delivery requirements of HE programme via the Terms of Reference. Each partner will be required to sign this. Whilst it is anticipated that the HAZ programme will run alongside - and be complementary to - other initiatives in Leominster, partners and stakeholders will be made aware of the parameters of the HAZ programme at the outset in order that expectations are managed and the programme can be delivered successfully.
Disagreement between partners and stakeholders	Medium	Medium	Herefordshire Council is well versed in managing multi sectoral partnerships. Different representative groups will be welcomed to bring their experience and skills to the Steering Group and communicate the purposes of the HAZ to their networks, however, their role on the group will be made clear at the outset and in the Terms of Reference.



Political changes resulting in different priorities for Herefordshire Council	Low	Medium	Early engagement with any newly elected members to ensure continued support.
Resources – unable to provide staff match in kind	Low	Medium	Officers from both Herefordshire Council (various departments) and Leominster Town Council will be involved in the Steering Group or subgroups and made aware of the importance of resourcing the programme to meet the targets. Staff will be expected to have a separate line on time sheets for the HAZ programme so that in kind time can be accurately calculated.
Key staff leaving – lack of continuity	Low	Medium	There is a wide range of skills across both Herefordshire Council and Leominster Town Council with numerous staff having experience of successfully delivering grant programmes. This will ensure continuity is maintained.
Public realm contracts take a long time to deliver	Medium	Medium	Herefordshire Council recognises that public realm improvements take a long time to implement due to the amount of planning involved. HC has committed the budget to these works via the capital programme and will commence the planning of the public realm works early in the new year. There will be a period of consultation followed by liaison with relevant stakeholders to agree the delivery timetable. The advantage of the HAZ programme is that all relevant stakeholders will already be engaged as part of the process, therefore, making the consultation and implementation process easier. Herefordshire Council has extensive experience of delivering major infrastructure schemes on time and on budget.
Lack of experience within the team due to new roles and responsibilities of delivering new funding initiative	Low	Medium	Whilst HAZ is a new programme, both Herefordshire Council and Leominster Town Council have extensive experience in delivering externally funded programmes including DEFRA, Single Regeneration Budget, European Regional Development Fund, European Social Fund, Regional Growth Fund, Heritage Lottery, Advantage West Midlands (RDA), Rural Regeneration Zone, LEADER+. All of these programme originate from various sources e.g. some European and some central government funding and therefore HC & LTC are experienced in delivering numerous schemes with different priorities.
Environmental impacts such as	Low	Medium	This is a higher risk towards the end of the programme, therefore, the renovation grants

weather delaying capital projects			will be launched early in the programme and the scheduling of works will be planned accordingly.
Unable to manage expectations of stakeholders and the wider community	Medium	Medium	The benefits of HAZ is that it is focussed on a relatively small geography. It is therefore easier to communicate with key stakeholders and the community. LTC has strong communication channels in place already. These channels will be used and expanded to ensure that the views of key stakeholders and the wider community are factored into the programme. The communication channels will also be used to communicate the parameters of the scheme and the eligibility of the HAZ funding to equally ensure that expectations are managed.



<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday 23 July 2020</b>
<b>Title of report:</b>	<b>Herefordshire Multi- Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood</b>
<b>Report by:</b>	<b>Cabinet member children and families</b>

## Classification

Open

## Decision type

Non-key

## Wards affected

(All Wards);

## Purpose and summary

- 1) To agree the revised content of the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood on behalf of Herefordshire Council services
- 2) To delegate responsibility for the reviewing and technical updating of the Protocol to the Head of Additional Needs

## Recommendation(s)

That:

- (a) **Approve the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood;**
- (b) **Delegate the responsibility for reviewing and technical updating of the Protocol to the Head of Additional Needs.**

## Alternative options

1. The current Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood published in 2014 is out of date. This new protocol reflects the ambitions of the Children and Young People's plan 2019/20204 and legislative changes. Herefordshire young people are at risk of having a poor experience of moving into adulthood if we do not produce a new Protocol. Information about preparing for adulthood is held in different places and websites and not easily accessible for young people and their families.

## Key considerations

2. The purpose of this protocol is to make clear the transition planning and review processes that prepare and support the move from adolescence to adulthood. The protocol is for Herefordshire young people with special education, disabilities and complex needs who:
  - have an Education, Health and Care (EHC) Plan
  - meet the national eligibility criteria from the Care Act (2014)
  - receive a service from the Children with Disabilities Team
  - have or may have continuing health care needs
  - have complex needs (a combination of multiple and profound impairments, challenging behaviour and learning disabilities and acute and chronic medical conditions)
  - Others who are not covered by the above but still have significant support needs

This period extends from year 9 when a young person is approximately 14 years of age up until their 25th birthday.

3. All partners commit to ensuring that preparation for adulthood for this group of young people is timely and planned. For example, this might include:
  - moving from one education setting to another
  - the transfer from children's social care to adult social care
  - having opportunities for work, housing choices and a social life in the community.
4. Preparing for Adulthood means preparing for:
  - further/higher education and/or employment - including options for supported internships, apprenticeships, self-employment, volunteering, college and university
  - independent living - this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living as far as reasonably possible
  - participating in society, including having friends and supportive relationships, and
  - participating in, and contributing to, the local community being as Healthy as possible in adult life
5. This protocol is relevant to all the professionals and agencies in Herefordshire that have a responsibility for ensuring young people with special education, disabilities and complex needs make a successful transition to adulthood. This includes professionals involved in planning and commissioning services as well as those actually delivering them. This protocol does not replace individual partners and agencies' internal processes. It will

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Further information on the subject of this report is available from  
Alexia Heath, Tel: 01432383416, email: [ah Heath1@herefordshire.gov.uk](mailto:ah Heath1@herefordshire.gov.uk)

support multi-agency planning. The NHS Herefordshire and Worcestershire Clinical Commissioning Group will take this protocol through their own governance processes for approval. Any technical changes and updates will be included in the protocol.

6. We will produce a user-friendly preparing for adulthood pathway and guide for young people and families, by December 2020. This will include, an easy read version and will be co-produced with young people and parent/carers.
7. The Special Education Needs and Disabilities (SEND) Strategy Group is part of the Herefordshire Children and Young People's Partnership. The strategy group provides leadership, strategic direction and support to make sure young people have an effective transition into adulthood. The SEND strategy group will keep this protocol under review and update any technical changes. Herefordshire Council, on behalf of the SEND strategy group, will make sure that this happens at least annually and will update the protocol as necessary. The final protocol will be agreed and signed off through partners' own governance arrangements.

## **Community impact**

8. Adoption of this protocol benefits communities in Herefordshire. It makes clear the transition planning and review processes that prepare and support the move from adolescence to adulthood for young people with SEND.
9. The protocol contributes to the Herefordshire Health and Wellbeing Strategy vision 'residents are resilient, lead fulfilling lives, are emotionally and physically healthy and feel safe and secure'. It also contributes to the Herefordshire County Plan, in particular the ambition for communities: strengthen communities to ensure everyone lives well and safely together; and the economy ambition to support an economy, which, builds on the county's strengths and resources. Herefordshire Children and Young People's Partnership plan 2019-20204: in particular: helping all children and young people succeed, be better prepared for adulthood, improving children and young people's health and wellbeing and ensuring children and young people are influential in our communities.
10. The protocol includes young people with disabilities and complex needs who are also looked after children and/or care leavers. There is a separate Leaving Care Pathway and where there are overlaps these will be streamlined. The leaving care pathway takes priority.

## **Equality duty**

11. The protocol pays due regard to the public sector equality duty. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
13. The aim of this protocol is to improve the preparing for adulthood (PFA) transition process and outcomes for Herefordshire young people with special education, disabilities and complex needs.
14. Working in partnership with young people and parent/carers, health, care, education settings and other services and organisations will ensure timely and planned access to high quality provision and services.
15. We will use this protocol to make sure that young people are at the centre of the planning process, giving them choice and control over their own futures. This will ensure that the focus is on their needs, hopes and aspirations. Person-centred planning and reviews will support young people, where possible, to express their views and make decisions.
16. For young people with SEND their future outcomes remain a challenge for many reasons. Life chances can be poor compared to the general population, and they may find it harder to make the transition from childhood to adult life, form successful friendships and relationships, maintain their independence and are more likely to have poor health and wellbeing outcomes. Children and young people with a special educational need and/or complex needs are more likely to have poor mental health and wellbeing. Young people with SEND are also less likely to be in education, training and employment, which further affects their adult life.
17. Nationally people with disabilities have an employment rate that is 31.1% lower than people without disabilities. The numbers of adults with a learning disability moving into paid work remains low at just 6%. Adults with learning disabilities can become isolated and lonely if they are not well connected into their communities during childhood and have a significant disadvantage in health outcomes alongside a much lower life expectancy.
18. Improving opportunities and outcomes will enable young people with special education, disabilities and complex needs to have equal life chances as they move into adulthood. This will include employment opportunities, accommodation and living arrangements, choice and control, participating in, and contributing to society and the local community, having friends and supportive relationships.
19. We will work with young people and parent/carers to produce a preparing for adulthood pathway and guide that is accessible and user-friendly, we will also produce an easy read version.

## **Resource implications.**

20. The protocol itself has no financial, ICT, human resources or property implications.

## **Legal implications**

21. This function is an executive function and the decision-maker has the authority to take the decision (as per function scheme of the constitution 3.3.2(g)).

22. In respect of both:-

(a) The amendment of the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood; and

(b) Delegation of the responsibility for reviewing and technical updating of the Protocol to the Head of Additional Needs.

23. There is a legal duty to update the protocol and this is pursuant to Paragraph 8.9 of the SEND Code of Practice which states: 'Local authorities **must** ensure that the EHC Plan Review at Year 9, and every review thereafter includes a focus on preparing for adulthood. Planning **must** be centred around the individual and explore the young person's aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve this ambition'.

24. The SEND Code of Practice is statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England.

25. There are no legal implications of doing what is proposed, and the alternative option of not producing the protocol would be the risk of young people having a poor experience of transition into adulthood and not complying with statutory duties set out in SEND Code of Practice.

26. There are no further legal considerations.

## Risk management

Risk / opportunity	Mitigation
Young people do not have a positive experience of the transition process	Partners and agencies sign up to the protocol and through the SEND Strategy group the protocol will be kept under review

27. Working on the assumption that the recommendations will be approved the risks will be managed at a service level and be entered on the risk register for children's and families

## Consultees

28. A wide variety of stakeholders were involved and consulted in developing this protocol, including, adult and communities directorate, Herefordshire and Worcestershire Clinical Commissioning Group, Herefordshire Parent/Carer Voice, Herefordshire and Worcestershire SEND Information, Advice and Support Service West Mercia Youth Offending Service and Child and Mental Health Services and their views and contributions have been included.

## Appendices

Appendix A - Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood

## Background papers

None identified



**Herefordshire Multi-Agency  
Protocol for Children and Young  
People with Disabilities and  
Complex Needs  
Preparing for Adulthood**

**July 2020**



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## Foreword

Leaving school and moving into adulthood can be a challenging time for all young people and particularly for those with disabilities. It is never too early to think about preparing for adulthood. The aspirations of young people should be at the heart of all planning. Young people and their families and carers may however be unsure about what to expect and where to get advice, support or information to help make decisions at this key time.

This protocol has been developed to support and improve the preparing for adulthood (PFA) transition process. It has been designed with young people at the centre, to make sure we are all working together for the benefit of young people, their parents and carers. The protocol aims to outline the preparing for adulthood pathway and ensure everyone involved understands the specific roles and responsibilities of all the key agencies, so that they can work together effectively to support the young person.

Signed by

**Our vision** is set out in the Herefordshire [Children and Young People's Plan \(CYPP\)](#) for all children and young people including those with disabilities and special education needs:

**'The children and young people of Herefordshire have a great start in life and grow up healthy, happy and safe within supportive family environments'**

To provide a positive experience of the Preparing for Adulthood transition process for all young people with Special Educational Needs and Disability (SEND), through a person centred approach, that prepares young people effectively for adulthood

# 1. Introduction

The purpose of this protocol is to make clear the transition planning and review processes that prepare and support the move from adolescence to adulthood for young people with disabilities and complex needs. This period extends from year 9 when a young person is approximately 14 years of age up until their 25<sup>th</sup> birthday. This protocol focuses on young people with special education, disabilities and other needs, who encounter barriers to achieving a successful transition to adulthood.

All partners commit to ensuring that preparation for adulthood for this group is timely and planned. This applies to those who have assessed services<sup>1</sup> as well as those receiving other forms of support. For example, this might include moving from one education setting to another; the transfer from Children’s Social Care to Adult Social Care; accessing real opportunities for work, housing choices and a social life in the community.

Preparing for Adulthood means preparing for:

- further/higher education and/or employment – including options for supported internships, apprenticeships, self-employment, volunteering, college and university
- independent living – this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living as far as reasonably possible
- participating in society, including having friends and supportive relationships, and
- participating in, and contributing to, the local community
- being as healthy as possible in adult life



For further information and resources, visit the [Preparing for Adulthood](https://www.preparingforadulthood.org.uk/) website.

<sup>1</sup> Refer to Appendix B for information on assessment and eligibility with regards to Adult Services

## **Intended audience of the protocol**

This protocol is relevant to all the professionals and agencies in Herefordshire that have a responsibility to make sure young people with SEND and those with complex needs make a successful transition to adulthood. Annex C lists those roles and responsibilities. This includes professionals involved in planning and commissioning services as well as those actually delivering them.

This protocol supports multi-agency planning; it does not replace internal processes within individual agencies.

We will produce a user-friendly PFA pathway and guide for young people and families, by December 2020. This will include an easy read version, co-produced with young people and parent/carers.

## **Who does this protocol cover?**

This protocol applies to young people whom either/or:

- have an Education, Health and Care (EHC) Plan
- meet the national eligibility criteria from the Care Act (2014)
- receive a service from the Children with Disabilities Team
- have or may have continuing health care needs
- have complex needs (a combination of multiple and profound impairments, challenging behaviour and learning disabilities and acute and chronic medical conditions)
- Others who are not covered by the above but still have significant support needs

## **Management of the PFA Transition Planning Process**

The Herefordshire SEND Strategy Group is part of the Herefordshire Children and Young People's Partnership. The SEND strategy group provides leadership, strategic direction and support to make sure young people have an effective transition into adulthood. The SEND strategy group developed this protocol and will keep it under review and will agree and update any technical changes.

## **The PFA Operations Group - making sure PFA transition works well**

The PFA operational group brings together professionals from education, children's and adult's social care and health to make sure young people make a successful transition into adulthood. This group meets 6 times per year and tracks progress of young people from year 9 onwards. The PFA tracker is a client management database used to track the progress of young people and make sure that relevant services are engaging in a timely manner. It does not replace the routine and expected multi agency planning that is required for those with significant needs. Commissioners will also use it to inform future planning and development of provision and services.

## 2. Aims

The overarching aim of this protocol is to make sure young person and their parents/carers have a positive PFA transition experience.

### What does a good experience of preparing for adulthood transition look like?

Young people...	Young people and their parents/carers...
<ul style="list-style-type: none"> <li>• Make decisions and take the lead in their transition planning or are supported by people that can advocate for them</li> <li>• Are supported to plan what they want to do and achieve</li> <li>• Are able to access a range of opportunities as other young people</li> <li>• Can try things out</li> <li>• Can change their mind</li> <li>• Young people subject to a protection plan should experience a service that is seamless and ensures they remain safe as they move in to adulthood</li> <li>• are given the same opportunity as their peers to achieve employment, independent living, to be part of a community and achieve and maintain good health and wellbeing.</li> </ul>	<ul style="list-style-type: none"> <li>• Are listened to and fully involved</li> <li>• Have an identified point of contact.</li> <li>• Feel supported</li> <li>• Receive consistent messages</li> <li>• Have easy access to clear, understandable information</li> <li>• See agencies stick with and pursue agreed plans, but are flexible to accommodate change as appropriate</li> <li>• Should see that the commitment to quality and consistency of support by all agencies is upheld as an essential part of our work and is monitored</li> </ul>

In order to achieve these aims, this protocol seeks to ensure that:

- Young people and their families are well supported and placed at the centre of all planning
- Young people are encouraged to develop the skills and understanding they need to make informed choices
- The PFA transition process is coordinated, systematic and consistent
- Post-16 services and opportunities are commissioned effectively, based on early identification of likely need for support

## **How will we measure that our young people have achieved good outcomes?**

### **We will do this by measuring the following:**

1. The destinations for young people in terms of continuing into education and employment. This will include the percentage of young people with SEND who are not in education, employment or training (NEET).
2. The proportion living semi-or fully independently
3. The proportion of young people regularly engaging in at least one social event each week
4. The proportion attending an annual health check and having a health action plan
5. Annually capturing feedback from young people, their families and other stakeholders



### 3. Principles

Drawing on the key messages from the [Preparing for Adulthood programme](#) all agencies involved in this protocol are committed to the following principles:

#### **Person-centred transition planning**

The young person should be at the centre of the transition planning process, giving them choice and control over their own future, ensuring the focus is on their needs, hopes and aspirations. Person-centred planning and reviews will support young people, where possible, to express their views, should inform support planning and ensure positive outcomes for young people.

#### **Involvement and consultation of parents, carers and young people**

We will recognise and involve young people and their families as partners in the process. We will support and encourage young people to take responsibility for making decisions. The experience of young people and their families will inform strategic planning and commissioning.

#### **Decision-making:**

Presumed to have capacity, young people aged 16 or over, have capacity to make their own decisions for example, about where they want to live and decisions about their health and social care, unless evidence shows otherwise.

Young people aged 16 and over have the right to make their own decisions in relation to the provision that is available to them. Although there is nothing to stop them asking their parents, or others to help them make the decision. However, some young people, and possibly some parents, will not have the mental capacity to make certain decisions. A person has capacity for a specific decision if they are able to do all of the following:

- Understand the key points of the information they are given
- Retain that information long enough to make a decision
- Use and weigh the information
- Communicate the decision

If there are concerns that the young person lacks capacity to make certain decisions for him or herself, an assessment of their capacity should be undertaken in accordance with the **Mental Capacity Act 2005** ('the MCA 2005') and the Code of Practice to the Mental Capacity Act 2005. The Mental Capacity Act (MCA) provides a statutory framework designed to protect and empower individuals who may lack the mental capacity to make their own decisions about their care and treatment.

To work out what will be in the person's best interests, where someone does not have capacity for a particular decision, a checklist of steps, provided by the MCA, must be followed. This will always include participation by the young person and consultation with them to determine their wishes, feelings, beliefs and values. Part of the best interests' process will also involve consultation with others for their views about the person's best interests. To see if they have any information about the young person's wishes, feelings, beliefs and values. Parents and carers will have a significant role in this consultation.

### **Partnership working across agencies**

A shared vision across all partners, which places young people and their families at the centre and focuses on improving life chances. Partners must be committed to working together and have a clear understanding of the specific roles and responsibilities of all the key agencies involved in transition.

### **Provision of accessible and clear information**

To help raise young people's aspirations, clear and accessible information, including sharing other young people's experience should be available. Information should be relevant, accessible and understandable. Information about PFA will also be part of the 'local offer', which can be found at the following web link:

[Herefordshire Local Offer](#)

### **Working towards positive outcomes**

Planning for adulthood should be focussed on life outcomes, promoting independence and support young people to lead meaningful and enjoyable adult lives. This includes where transition planning involves consideration of personal budgets or other forms of allocating resources.

### **Early assessment and transition planning**

Early assessment and planning for adulthood facilitates more responsive and flexible forward planning. Timely assessments and transition plans are essential for commissioners to plan services and budgets, for the projected support needs of young people moving into adulthood.

### **Ensuring there is no gap in services**

When a child (including a young carer) is receiving support from a children's service, this support will continue through the assessment process until the adult service and support is in place. **Or** until it is clear following an assessment that the adult service support is not required or that the young person is not eligible for support from adult social care. Should the adult service not be required, services should provide appropriate advice and guidance for the individual and their family if needed.

### **Relevant information sharing**

Agencies should share relevant information with each other and with commissioners. This is to make sure that the transition process is smooth and services and opportunities are

planned and developed to meet the needs of young people<sup>2</sup>. Information must be accurate and timely and shared in adherence to data sharing principles including the informed consent of the young person<sup>3</sup>. If the young person lacks the mental capacity to make decisions about sharing information with key people, then the Mental Capacity Act is followed. This is to make sure each decision to share information is in the young person's best interests. Decisions and reasoning should always be recorded.

### **Quality and monitoring**

Accurate monitoring ensures all young people are tracked and none "fall through the net". Mechanisms need to be built in to ensure the quality of provision meets appropriate standards and that the transition process is as effective as possible.

### **Safeguarding**

It is a fundamental principle that disabled children have the same right as non-disabled children to be protected from harm and abuse. Often disabled children and adults have additional needs related to physical, sensory, cognitive and/or communication requirements. Many of the problems they face are caused by negative attitudes, prejudice and unequal access to things necessary for a good quality of life.

For all practitioners and agencies, ensuring young people and adults are safeguarded should therefore always be integral to everything they do. Practitioners should ensure that any young person subject to a protection plan is supported to remain safe as they move in to adulthood.

### **Resource Panels**

Each agency operates its decision making and allocation of resource according to its own relevant legislation and eligibility criteria'. Adult social care does not automatically continue funding this is dependent upon assessment of need and eligibility.

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<sup>2</sup> For guidance, refer to the Herefordshire Information Sharing Policy (Note, Council intranet link - [http://hc-sp/DocumentLibrary/InformationServices/Documents/Information\\_Sharing/Herefordshire\\_Information\\_Sharing\\_Policy.doc](http://hc-sp/DocumentLibrary/InformationServices/Documents/Information_Sharing/Herefordshire_Information_Sharing_Policy.doc))

<sup>3</sup> For guidance, refer to the Herefordshire Council Data Protection Policy ([https://beta.herefordshire.gov.uk/media/1216507/data\\_protection\\_policy\\_hcv1\\_internet.pdf](https://beta.herefordshire.gov.uk/media/1216507/data_protection_policy_hcv1_internet.pdf)) and Herefordshire PCT Data Protection Policy ([www.herefordshire.nhs.uk/docs/Publications/Data\\_Protection\\_Policy.pdf](http://www.herefordshire.nhs.uk/docs/Publications/Data_Protection_Policy.pdf))

## 4. Preparing for Adulthood Pathway

The formal multi-agency PFA pathway starts in year 9 however, we would expect that schools and settings follow statutory guidance and along with parents/carers would already be encouraging young people to think about their futures and express and make choices.

For those young people with disabilities and complex needs who are also looked after children (LAC), there is a separate [Leaving Care Pathway](#). Where there are overlaps in the two pathways, these should be rationalised for the benefit of all. The leaving care pathway takes precedence.

Together with partners, we have established key milestones in the PFA transitions process and described who is responsible for achieving these in Annex C: Roles and Responsibilities. We will produce a user-friendly PFA pathway and guide for young people and families. This will be co-produced with young people and families and include key milestones.

The PFA operational group will use the PFA Tracker to monitor young people's progress and ensure young people are being supported in a timely manner.

## **5. Escalation and Dispute resolution**

This section clarifies how disagreements should be resolved with young people or their parent/carers or between agencies regarding multi-agency responsibility.

### **Case escalation procedures**

Through the PFA Operational Group partners work together to ensure successful outcomes for young people, however the Post 16 Learning and Skills Adviser should identify cases that need escalating to the Senior Advisor for Post 16 Learning and Skills who will initiate communication with relevant managers from other services within 5 working days to seek a resolution. If agreement is still not reached, the case is escalated to the Head of Additional Needs who is the Local Authority Transitions lead who will review the matter within 5 working days and attempt to find a satisfactory solution acceptable to all agencies involved.

### **Complaints Procedure**

If a young person or their parents/carers are unhappy with the contribution of a particular agency, they should follow the complaints procedure of that agency. The Post 16 Learning and Skills Adviser can assist with signposting young people and their parents/carers to the appropriate agency.

If the complaint relates to education, health and social care then this should be sent to the Head of Additional Needs who is the local authority transitions lead. The Head of Additional Needs will identify a single lead investigator, review the complaint and respond to the complaint within 5 working days.

Agencies involved have committed to ensure that services to the young person are not disrupted or delayed whilst a resolution is found.

## Appendix A: Legal and Policy Context

### Legislation

<ul style="list-style-type: none"> <li>• Care Act 2014</li> <li>• Children and families Act 2014</li> <li>• Apprenticeships, Skills, Children and Learning Act 2009</li> <li>• Autism Act 2009</li> <li>• Children Act 1989 and 2004</li> <li>• Children (Leaving Care) Act 2000</li> <li>• Chronically Sick and Disabled Person's Act 1970</li> <li>• Disabled Person's Act 1986</li> <li>• Education Act 1996 and 2011</li> </ul>	<ul style="list-style-type: none"> <li>• Education and Skills Act 2008</li> <li>• Equality ACT 2010</li> <li>• Health and Social Care Act 2012</li> <li>• Human Rights Act 1998</li> <li>• Learning and Skills Act, 2000</li> <li>• Mental Capacity Act 2005</li> <li>• Mental Health Act 2007</li> <li>• UN Convention on the Rights of the Child</li> </ul>
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### Guidance and Policy

- SEND Code of Practice: 0-25
- Factsheet The Care Act 2014  
*Factsheet 11 the transition for children to adult care and support*
- Children and young people's continuing care national framework
- Guidance and resources relating to NHS continuing healthcare and NHS-funded nursing care.
- National Service Framework for Children, Young People and Maternity Services (DH and DfES, 2004)
- Pathways to getting a life: transition planning for full lives (DH, 2011)
- Progression Through Partnership (DfES, DH and DWP 2007)
- Valuing People (DH, 2001) and Valuing People Now: a new three year strategy for people with learning disabilities' (DH, 2009)
- Statutory guidance Transition-to-adulthood-for-care-leavers
- HerefordshiresSafeguardingboard/safeguarding-children-young-people-in-herefordshire/
- Herefordshire safeguarding adults board

### **Linked Herefordshire Strategies and Plans**

- [Herefordshire Learning Disability Strategy 2018 to 2028](#)
- [Herefordshire Children and Young People's Plan 2019-2024.](#)
- [Adult Wellbeing Plan 2017 - 2020](#)
- [Herefordshire Health and Wellbeing Strategy](#)
- [Autism Strategy 2019-2022](#)
- [Herefordshire Care Leavers Support](#)

## Appendix B: Eligibility Criteria for Adult Social Care Services

For a significant number of children and young people preparing for adulthood there may be initial uncertainty over the route into adult social care. Individuals and practitioners must recognise that there are different eligibility criteria for children's and adult services; a young person who receives support from children's services **may not** automatically be deemed eligible to receive any service or a similar service from adult social care.

In accordance with the Care Act 2014 Herefordshire Council will identify and / or commission social care services for adults whose needs are assessed as **eligible**.

An adult's needs meet the eligibility criteria if—

- (a) the adult's needs arise from or are related to a physical or mental impairment or illness;
- (b) as a result of the adult's needs the adult is unable to achieve two or more of the outcomes specified below; and (c) as a consequence there is, or is likely to be, a significant impact on the adult's well-being.

The specified outcomes are— managing and maintaining nutrition; maintaining personal hygiene; managing toilet needs; being appropriately clothed; being able to make use of the adult's home safely; maintaining a habitable home environment; developing and maintaining family or other personal relationships; accessing and engaging in work, training, education or volunteering; making use of necessary facilities or services in the local community including public transport, and recreational facilities or services; and carrying out any caring responsibilities the adult has for a child.

An adult is to be regarded as being unable to achieve an outcome if the adult—

- (a) is unable to achieve it without assistance;
- (b) is able to achieve it without assistance but doing so causes the adult significant pain, distress or anxiety;
- (c) is able to achieve it without assistance but doing so endangers or is likely to endanger the health or safety of the adult, or of others; or (d) is able to achieve it without assistance but takes significantly longer than would normally be expected.

Where the level of an adult's needs fluctuates, in determining whether the adult's needs meet the eligibility criteria, the local authority must take into account the adult's circumstances over such period as it considers necessary to establish accurately the adult's level of need.



## Appendix C: ROLES AND RESPONSIBILITIES

### YOUNG PEOPLE

Young People should be supported and encouraged to take responsibility for making decisions as they prepare for adulthood. Young people should be supported to say what they want, need and value to create their plan, enabling them to make informed decisions and have a full, active life.

### PARENT/CARERS

Parents and/or carers have a vital role in collecting relevant information because they know all the important people and activities in their child's life. They also know what they may be able to do to help in the future and to understand some of the choices available.

### LEAD PROFESSIONAL

The lead professional's role is to act as a single point of contact for a young person and their family when a range of services is involved, starting from Year 9. This role remains the family's point of contact as the young person transfers to adult services at age 18 and leaves school. They continue to check that the young person's plans are enacted or that the plans are adapted according to the young person's wishes. Where a young person expresses a preference about their lead worker, this will be accommodated wherever possible.

## EDUCATION SERVICES

Paragraph 8.9 of the SEND Code of Practice states: 'Local authorities **must** ensure that the EHC Plan Review at Year 9, and every review thereafter includes a focus on preparing for adulthood. Planning **must** be centred around the individual and explore the young person's aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve this ambition.

Schools, general further education colleges, specialist art and design and land based colleges, sixth form colleges, 16 to 19 academies and special post 16 institutions approved under section 41 of the Children and Families Act 2014 have a duty to co-operate with the Local Authority and have regard to the SEND Code of Practice..

Note: Children and young people educated at home: It is the responsibility of the **local education authority** to convene the annual/PFA transition reviews.

### SCHOOLS

#### Preparing Young People

The school will identify a member of staff who will work with the young person, **using person-centred approaches to:**

- Help them identify their goals and aspirations;
- Prepare them to contribute to the process of planning for adulthood including participation in review meetings

Provide independent careers information, advice and guidance for pupils in year 8 to year 13.

#### EHCP review meetings from Year 9 in relation to Preparing for Adulthood

- Ensure that the EHC plan review at year 9 and thereafter includes a focus on preparing for adulthood including employment, independent living and participation in the community
- Ensure the young person and their family is fully informed about the purpose of the review meeting and are supported to contribute fully
- Inform agencies who are invited to review meetings that they need to submit any relevant information about the young person
- Circulate copies of any information provided to agencies invited to review meetings at least 2 weeks before the meeting
- Convene and chair annual review meetings and other reviews as necessary for young people with EHC plans

#### After the EHC Plan Review Meeting Preparing for Adulthood

- Ensure transition planning is built into the revised EHC plan including agreed clear outcomes that will prepare young people for adulthood
- Amend EHC plans as appropriate
- Ensure information from the review meeting is collated and distributed to relevant parties

### **Other Responsibilities**

- Identify education needs that cannot be met locally to inform strategic planning.
- Commission independent careers guidance
- Signpost young people and their families to information, advice and support

### **POST 16 EDUCATION AND TRAINING PROVIDERS**

- Support young people to realise their education and training potential and enable them to achieve the best possible outcomes
- Deliver a coherent study programme
- Provide the right support to students
- Prepare and support young people to progress in adult life. This includes further training/ paid employment/volunteering/higher education/independent living/participating in the community/good health
- Maintain and develop links with educational institutions and relevant agencies to support the PFA transition process
- Work with the local authority on arrangements for young people with SEND
- Make information available about their offer in a timely and user- friendly format.
- Share relevant information with the local authority in respect of offers of learning, early leavers, destinations etc.
- Secure access to independent careers information advice and guidance
- Share best practice
- Signpost young people and their families to information, advice and support
- Chair and convene annual reviews ensuring these reviews focus on preparing for adulthood and include agreed clear outcomes

## LOCAL AUTHORITY CHILDREN'S AND FAMILIES DIRECTORATE

### SEND TEAM – EHC Plan Officers

- Responsible for the co-ordination, writing, consultation and issuing of the EHC plan
- Attend PFA transition EHCP reviews
- Manage the needs assessment process for all new requests for Post 16 EHCPs
- Ensure that schools and further education providers are carrying out annual reviews
- Amend all EHCPs following the review in Year 9 and above ensuring that PFA transition planning and outcomes are incorporated in the plan.
- Attend PFA operational group meetings
- Ensure that young people and their parent/carers are aware of the support available from the Special Educational Needs Disability Information and Advice Support Service (SENDIASS).
- Cease EHC Plans
- Contribute to the 'Local Offer' on WISH website ensuring information is up to date.

### EDUCATIONAL PSYCHOLOGISTS

- Respond to requests for assistance in meeting the needs of young people with learning and emotional needs up to the age of 19
- Work in partnership with young people, schools, parents/carers, voluntary organisations, health and local authority services

### POST 16 LEARNING AND SKILLS TEAM (Commissioning)

- Ensure suitable and sufficient education and training provision to meet the reasonable needs of 16- 25 year olds including those with an EHC plan
- Facilitate and chair the PFA operation group meetings and maintain the PFA tracker. Use the Preparing for Adulthood (PFA) Tracker to monitor young people and the education and training provision that is required to ensure all these young people are being supported appropriately and in a timely manner
- Effectively plan, develop and commission provision to meet projected future demands and needs. Where appropriate this should be jointly with adult social care and CCG
- Use information from the PFA Tracker, school census returns, annual reviews to inform future budgetary requirements
- Devise, manage and keep under review, effective processes and procedures for placement approval and management
- Facilitate the Post 16 High Needs multi-agency placement panel

- Oversees and manages high needs education budgets and contracts with learning providers for funding packages for post-16 learners in Independent Specialist Providers and further education providers
- Engage and involve stakeholders, including young people, parents/carers, in planning, design and delivery

### **INDEPENDENT TRAVEL TRAINERS**

- In partnership identify young people with SEN and/or disability who would benefit from independent travel training
- Co-ordinate and deliver travel training packages that are tailor-made for the needs of the individual
- Monitor and evaluate young person's progress towards independent travel and to assist in transferring newly acquired skills.

### **EARLY HELP**

- The Herefordshire Early Help approach is available for families with children aged 0-19 years old and up to 25 years old for Special Education Needs and Disabilities (SEND), and is responsive to family needs
- The service will work with a young person if they have an Early Help assessment.
- Signpost young people and their families to information, advice and support

### **CHILDREN'S SOCIAL CARE**

Social workers are involved in undertaking assessments of children and young people in need and their families under the Children Act 1989.

- Identify on going needs for services
- For children covered by this protocol in year 9, social workers will arrange to see the young person and his or her parent/carers, where applicable, prior to a review and discuss what plans the young person has for the future. This should include:
  - Independent living (where applicable)
  - Long-term health needs
  - Access to social & leisure activities with peer group
  - Direct Payments (where applicable)
  - Occupational Therapy needs
  - Employment plans
  - Further education and training needs
  - Respite Needs

- Information will be sent to school at least two weeks prior to the annual review (Statutory Requirement)
- Ensure a school's request for information before the young person's annual review meeting is actioned by submitting details of relevant information held on children's social care record or by informing the school that the young person is not known to them
- Signpost young people and their families to information, advice and support
- Ensure the 'voice of the young person' is heard throughout the transition to adulthood processes
- Keep schools/further education providers and the SEND Team up-to-date with details of social workers and family support workers involved with young people at their establishments. Information on short break and support packages to be shared
- Retains responsibility of case management up to the age of 18 (other than specific work carried out by adult services)
- Ensure timely referral and have in place robust procedures for the transfer of responsibility from children's social care services to adult social care services. Children's social care services should provide information regarding the criteria for adult social care support, advising people that they may not automatically receive any / the same level of support if / when they transition into adulthood
- At the age of 16 children's social care services will ensure that appropriate Mental Capacity Assessments are undertaken
- Attend Complex Needs Funding panel and ensure young people are on the PFA tracker
- Children's social care services should identify those young people for whom it is likely that adult NHS Continuing Healthcare will be necessary, and should notify whichever CCG will have responsibility for them as adults. This should occur when a young person reaches the age of 14
- Working with the young adults transition team make a formal referral for screening to the adult NHS Continuing Healthcare team at the relevant CCG, when the child or young person is 16
- Contribute to 'Local Offer' on WISH website ensuring information is up to date

### **PFA TRANSITIONS LEAD**

The Head of Additional Needs who provides the strategic lead for PFA. The role involves monitoring adherence to the protocol across all partner agencies including:

- Reviewing and amending the protocol in the light of local and national developments
- Receiving information on cases that have been escalated from the multi-agency PFA practitioners group or PFA transitions coordinator
- Acting as the identified PFA transitions lead for liaison with the Department for Education

### YOUNG ADULTS TRANSITIONS TEAM – Adult Social Care

This team works principally with young adults and with all agencies involved in planning. The range of work carried out by the team spans the 14 – 25 age group that are eligible for adult social care services and includes the following:

- Working with appropriate agencies and professionals to support the transfer into adult services
- Working in partnership with stakeholders - providing advice and a central point of contact for all relevant teams / professionals / agencies supporting young people moving into adulthood eligible for assessment for adult social care services
- Working jointly with children's social care services to ensure that young people approaching adulthood are identified as currently or potentially needing adult social care services in the future and that the appropriate information is shared with the young person and their family
- Attending the PFA operational group meetings and using the PFA tracker to monitor young people from Year 9 onwards to ensure successful transition
- Working jointly with children's services to ensure links to other services are in place to make referrals for young people with an education health and care plan, e.g., housing and transport
- Working with children's social care ensure that where the young person is likely to have continuing health care needs a formal referral is made to the adult NHS health care team at the relevant CCG, when the child or young person is 16
- Attending Complex Needs Funding panel and identify those young people needing adult social care services
- Working with children's social care services to provide information to avoid creating unrealistic expectations, ensuring, professionals, families and young people are aware of the eligibility criteria for adult social care services
- Where it appears likely that the young person may require support from Adult Social Care, attend the young person's Year 11 annual review meeting
- If requested, and where appropriate, attend the young person's Year 10 review meeting to identify whether the young person is likely to need support from Adult Social Care (and, where appropriate, attend subsequent reviews if a support need is likely)
- Compliance with inter-agency procedures for the transfer of responsibility from children's social care services to adult social care
- Identifying potential future gaps in provision to meet unmet need and liaise and inform Adult Commissioners of these
- Signposting young people and their families to information, advice and support
- Some young people may require an assessment under the Care Act 2014
  - Inform the young person and their family of the assessment process
  - Undertake an Assessment to assess the young person's needs and whether they meet the eligibility criteria
  - Inform the children's social worker of eligibility for Adult Services
  - Inform carers of their right to a carer's assessment
  - Following the assessment, if eligible, work with the young person and their family using strengths based approach to develop and implement a care and support plan that meets their needs

- Informing Adult's Commissioners of young people in transition, including their needs, likely transition dates and estimated individual budgets
- The assessment and support plan should be in place and agreed prior to when services need to start
- To work with health colleagues to agree any joint support plan
- To liaise with other adult social care teams as appropriate
- Contributing to the 'Local Offer' on WISH website ensuring information is up to date

#### **ADULT OPERATIONAL AND COMMISSIONING TEAMS**

- Identify future needs and demand for services using information from the PFA Tracker
- Effectively plan, develop and commission services to meet projected future demands
- As appropriate, jointly plan, develop and commission provision and services with Children's and Families directorate and Clinical Commissioning Group
- Use information from the PFA Tracker and Adult Social Care Teams to inform adult social care assessment, resource and finance planning of future budgetary and resource requirements
- Engage and involve stakeholders, including the public, in service planning, design and delivery
- Work with partners to develop robust procedures for the transfer of responsibility from Children's Services to Adult Social Care



## HEALTH SERVICES

### HEALTH SERVICES NHS Herefordshire and Worcestershire Clinical Commissioning Group (CCG)

The National Framework for NHS Continuing Healthcare and the supporting guidance and tools should be used to determine what ongoing care services individuals aged 18 years or over should receive from the NHS.

The term 'continuing care' has different meanings in child and adult services. For children and young people, continuing care refers to additional health support to that which is routinely available from GP practices, hospitals or in the community, and it can include care jointly commissioned by a local authority and CCG. It is important that young people and their families are helped to understand this and its implications right from the start of transition planning from children into adult services.

Eligibility for children's continuing care does not pre-suppose eligibility for NHS Continuing Healthcare.

CCGs should ensure that they are actively involved, with their partners, in the strategic development and oversight of their local transition planning processes, and that their representation includes those who understand and can speak on behalf of adult NHS Continuing Healthcare. CCGs should also ensure that adult NHS Continuing Healthcare is appropriately represented at all transition planning meetings to do with individual young people whose needs suggest that there may be potential eligibility.

The needs of a young person, and any future entitlement to adult NHS Continuing Healthcare should be clarified as early as possible in the transition planning process, especially if the young person's needs are likely to remain at a similar level until adulthood.

Children's services should identify those young people for whom it is likely that adult NHS Continuing Healthcare will be necessary, and should notify whichever CCG will have responsibility for them as adults. This should occur when a young person reaches the age of 14.

This should be followed up by a formal referral for screening to the adult NHS Continuing Healthcare team at the relevant CCG, when the child or young person is 16.

As soon as practicable after the young person's 17th birthday, eligibility for adult NHS Continuing Healthcare should be determined in principle by the relevant CCG, so that, wherever applicable, effective packages of care can be commissioned in time for the individual's 18th birthday. In order to do this staff from adult services (who are familiar with the adult NHS Continuing Healthcare National Framework) will need to be involved in both the assessment and care planning to ensure smooth transition to adult services. If needs are likely to change, it may be appropriate to make a provisional decision, and then to recheck it by repeating the process as adulthood approaches.

- Ensure that reports provided by relevant health professionals for Year 9 Education, Health and Care Plan (EHCP) review (and subsequent reviews) where a young person has significant health needs are taken into account in transition planning
- Ensure there is appropriate health representation on multi-agency resource panels so that timely decisions can be made about health resources in EHCPs

- Health commissioners to put arrangements in place to secure provision that has been agreed in the health section of the EHC plan
- Attend Complex Needs Funding panel and the PFA operation group meetings to identify those young people that will need continuing health care services
- Facilitate the transfer to Adult Health Care Services and ensuring that referrals to relevant services are made in good time so that there is no gap in service provision. Ensuring that young people and their parents/carers know when and how this transfer will take place and that sufficient warning is given
- Ensure that the young people and their parents/carers know who will co-ordinate their care provision within the Adult Health Care Services
- Identify the appropriate way of meeting the health needs of the young person to include:
  - Every child or young person will be reviewed and will have a co-ordinated care plan to meet individual need. To ensure an active transition to adult or universal services or to a more appropriate care pathway (this may include a disease specific pathway or a palliative care pathway) to take place within an agreed time frame
  - A co-ordinated care plan to meet the child/young person's individual needs
  - Transition to adult, universal or specialist services is an actively managed process
  - Where a child or young person has needs that require the input of other specialist services they should be referred to that service for an assessment
- To work with adult social care to agree any joint support plans
- Work to resolve any difficulties about responsibility for the provision of health services which, may arise in the case of young people placed out of county
- Contribute to 'Local Offer' on WISH website regarding information on health services, ensuring information is up to date
- Have strategic overview of the "transition process" for children and young people and influence improvements through their commissioning and contracting arrangements
- Ensure that all NHS Providers are compliant with the NICE Transitions Guidance and NICE Transitions Quality Indicators

**COMMUNITY CHILD HEALTH SERVICES (Child Development Centre) and HOSPITAL SERVICES (Hereford County Hospital), Wye Valley NHS Trust.**

Consultants/clinicians at both the Hereford County Hospital and the clinics at the Child Development Centre will have transition arrangements in place for young people to transfer from Paediatrics health services to adult health services.

## PRIMARY CARE

Where there is not a clear, secondary care transition pathway the General Practitioner will be responsible for medical follow-up as necessary and coordination of health care.

### Action to be taken by Health

#### **Preparing a medical report**

With the consent of the young person/parent/carer the Health representative will provide the most recent clinic letter/report for young people in Year 9 who have on-going health needs. In addition, young people, their parents or the school may request a health report if a medical problem is causing concern.

#### **Attending the Year 10 review meeting and subsequent annual review meetings**

If the young person will require health care support as they prepare to leave school and beyond, the designated Health Professional, or a representative with the consent of the young person/parent, will attend the Year 10 review meeting if required. If unable to attend will ensure report is available.

## MENTAL HEALTH

**The Herefordshire from Child and Adolescent Health Mental Health Service to Adult Mental Health Services Transition Protocol should be followed where appropriate to do so**

The purpose of the Protocol is to

- Define day to day working arrangements between Children's and Adult Mental Health and Learning Disability services
- Ensure a seamless transition between the service areas.

Young people needing to transition between CAMHS and other post 18 Mental health Services will include transition to -

- Adult Recovery Teams
- Primary Care Team to include General Practitioners
- IAPT – Let's talk service

An allocated care co-ordinator within the CAMHS Service will undertake transition arrangements in a timely manner, working jointly with other appropriate services to support young people through the transition period.

## OTHER AGENCIES AND SERVICES

### JOB CENTRE PLUS

- Provide information and advice on the range of programmes and grants available to support people into employment or gain new skills
- Help people facing the greatest barriers to employment to compete effectively in the labour market and move into and remain in work.
- Improve continuously the quality, accessibility and delivery of services to all customers.
- Give information and advice on the range of welfare benefits that the young person and/or their family may be entitled to claim. Provide specialist advice on eligibility and the claims process
- Ensure that people receiving working age benefits fulfil their responsibilities while providing appropriate help and support for those without work.

### SUPPORTED HOUSING (INCLUDING COMMISSIONING)

- Advice and support on different housing options available from residential to supported housing.
- Information on what is available in the local area.
- Use information, data and research including the PFA tracker to effectively plan to meet projected future housing needs taking into consideration stakeholders views
- Engage and involve stakeholders, including young people, parents/carers, in planning, design and development
- Ensure appropriate level of support to achieve independence

### HEREFORDSHIRE SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITY INFORMATION, ADVICE AND SUPPORT SERVICE (SENDIASS)

SENDIASS provides an impartial and confidential support service for parents and carers of children, and young people up to the age of 25, with special educational needs and disabilities (SEND). SENDIASS offer free advice and one-to-one support about education, social care and health and can help you plan your son or daughter's future.

[www.herefordshire.gov.uk/sendias](http://www.herefordshire.gov.uk/sendias)

### YOUTH OFFENDING SERVICE

The Youth Offending Service (YOS) works with young people who have come in to contact with the criminal justice system due to offending behaviour. Some young people with SEND can become involved in criminal activities. To support preparation for adulthood the YOS service will:

- Work in partnership with the Probation Service in respect of transition arrangements for the transfer should a young person turn 18 whilst on a Youth Rehabilitation.
- Liaise with young offender's institutions and adult prisons as appropriate.

- Support school leavers in respect of obtaining further education or employment taking into account learning styles/needs.
- Work with parents/carers, the police and the courts in respect of young people with SEND who commit serious offences.
- Make referrals to partners to facilitate appropriate support, particularly the community mental health service and Disability Service, participating in any joint meetings.
- Provide advice, information and guidance to parents/carers and young people signposting as required.
- Provide 'Appropriate Adults' training to enable staff and partners providing a service during police interviews.
- Ensure intervention plans to address re-offending, risk to others and safeguarding are produced based on the Youth Justice Board's national assessment tool 'Assetplus' and, where appropriate the comprehensive health assessment tool.
- Jointly with Social Care, Accommodation Services and the SEN Team where appropriate, support resettlement in the community of young people leaving custody or home. This may involve the need for an EHC needs assessment

## Appendix D: Selected Acronyms and Abbreviations

EHA	Early Help Assessment
CAMHS	Child and Adolescent Mental Health Services
CCG	Clinical Commissioning Group
CDC	Children's Development Centre
CHC	Continuing Health Care
CYPS	Children and Young People's Service
EHCP	Education, Health and Care (plan)
ISP	Independent Specialist Provider
LAC	Looked After Children
MDT	Multi-Disciplinary Team
NEET	Not in Education, Employment or Training
PHSE	Personal, Health and Social Education
PFA	Preparing for Adulthood
SEND	Special Educational Needs & Disabilities









<b>Meeting:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	<b>Thursday, 23 July 2020</b>
<b>Title of report:</b>	<b>John Kyrle High School and Sixth Form: new permanent accommodation</b>
<b>Report by:</b>	<b>Sufficiency Planning and Capital Investment Manager, Head of Educational Development</b>

## Classification

Open

## Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## Wards affected

Ross North; Ross East; Ross west;

## Purpose

To approve a new permanent building at John Kyrle High School & Sixth Form Centre to accommodate additional pupils admitted from September 2021 in response to rising numbers in Ross-on-Wye and to meet parental preference, and to agree the procurement approach to deliver the required works.

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Further information on the subject of this report is available from  
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 Quentin.Mee@herefordshire.gov.uk

John Kyrle High School & Sixth Form Centre is rated Good with Outstanding features by Ofsted and has been consistently oversubscribed since 2009. In recent years additional permanent accommodation has been provided and funded by John Kyrle to enable additional children to attend.

Funding has been identified in the council's capital programme, using basic need government grant, to enable John Kyrle High School & Sixth Form Centre to expand by one form of entry. A grant will be provided to John Kyrle High School & Sixth Form centre to deliver a new science block which will provide additional classrooms and associated support spaces. The project will be delivered and managed by John Kyrle.

## Recommendation(s)

That:

- (a) **Subject to securing planning consent, a grant of £2,300,900 be awarded to John Kyrle High School and Sixth Form to fund an extension to the John Kyrle High School & Sixth Form Centre to enable its permanent expansion from seven forms of entry (210 pupils per year group) to eight forms of entry (240 pupils per year group); and**
- (b) **The grant being made subject to a requirement that the build be designed and completed with the objective of obtaining a BREEAM excellent or Passivhaus certification. £260k of the grant being allocated is specifically for this purpose.**

## Alternative options

1. The grant is not provided. This is not recommended. There is already a pressure on places in Ross-on-Wye. Failure to invest in John Kyrle means the additional places required for 30 children in year 7 could not be accommodated at John Kyrle in September 2021 or future years. As there is no alternative secondary school in Ross-on-Wye the children would have to travel out of Ross and be accommodated at another school in Herefordshire or in Gloucestershire.
2. Further mobiles could be installed to provide the additional classroom space required. This is not recommended as the siting of a mobile would not be considered best value as they are looked upon as temporary solutions, have a finite life in planning terms and do not have the life span that permanent build accommodation would have. The council's School Capital Investment Strategy includes the objective that children are not taught in temporary classrooms.
3. The council manage the project. This is not recommended as this would not maximise the value of the work that could be secured from the budget allocated. The school have a previous track record of managing large-scale projects with values exceeding £1m to time and budget. Enabling John Kyrle to deliver the project removes the risk from the council as the grant is finite and any expenditure above the grant provided will have to be met by John Kyrle.

## Key considerations

4. Secondary school numbers are rising in Herefordshire in common with the rest of England. This is as a result of higher numbers of children born over the past ten or so

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years as previous boom generations reach childbearing age, supplemented by higher migration from the EU8 accession states from 2004 onwards. In Herefordshire the areas most affected are Ledbury, Hereford and Ross-on-Wye.

5. Ensuring there are sufficient school places to meet parental demand is a statutory duty for councils. This means that councils must make population and pupil forecasts in order to anticipate changes in demand. Where additional places are required the council is responsible for securing them. This applies to maintained schools, voluntary controlled schools, voluntary aided schools, free schools and academies.
6. One form of entry (30 pupils per year group, 150 pupils in total) is urgently required to meet growing numbers in Ross-on-Wye.
7. Central government allocates basic need funding based on council forecasts. This is divided into primary and secondary allocations. To date £6.9 million has been allocated in 2020/21 for secondary provision. Some of this grant will be used to fund the grant being offered.
8. Section 106 (S106) contributions can be requested from housing developments where the development comprises more than 10 houses and it can be shown that there is a deficiency of school places in the catchment area. To date £180k has been received from these developments which is specifically allocated to John Kyrle and will be used to part fund the grant for this project. This sum does not include any contributions agreed but not received, or in relation to potential developments where no S106 agreement has been formed. However, should further contributions be received towards John Kyrle whilst the build is in progress these may be used to further offset the basic need allocation required.
9. The Ross-on-Wye planning area, in terms of forecasting, has only one secondary school, John Kyrle, which is an academy. It is currently rated Good with Outstanding features by Ofsted. John Kyrle has a planned admission number of 210 pupils per year, but has been consistently oversubscribed since 2009.
10. A meeting was held with council officers, the head teacher and governors of John Kyrle. The head teacher and governors had a clear vision for how the expansion could be delivered and welcomed the opportunity. John Kyrle regards itself as the school of choice for the Ross area and is happy to expand to meet demand from the local parents.
11. John Kyrle undertook a curriculum analysis to help identify the spaces that would be required to enable an expansion. John Kyrle found that science provision was inadequate with six of its ten science laboratories well below the size standard recommended by the Department for Education's (DfE) Building Bulletin 103 Area Guidelines for Schools (BB103).
12. The proposed new building that will be funded by the grant will be a modular build, comprising six specialist science laboratories with science preparatory rooms and other associated ancillary spaces including toilet provision. The build will follow the DfE's BB103, which sets out nationally agreed standards. This will enable some of the existing inadequate science laboratories to be repurposed to provide other curriculum areas needed by the school to accommodate the increased intake. The cost of the re-purposing of spaces lies outside the scope of this grant.

13. John Kyrle will be required to adhere to the DfE guidance addressing specific aspects of school design, such as acoustics, lighting, ventilation, fire safety, and accessibility, in the design of the new building.
14. The completed works will also be required to conform to all relevant safeguarding standards in respect of fencing and controlled access.
15. The completed works would need to ensure that the building can be maintained cost effectively in the long term and include appropriate environmental measures to reduce energy costs. As a minimum the council will require the building to be built with the objective of achieving the principles of a Building Research Establishment Environmental Assessment Method (BREEAM) excellent or Passivhaus certification.
16. Prior to construction starting, John Kyrle will provide the council with evidence of the appointment of the contractor and assurance that the building will have adequate insurance cover.
17. Any variations to the agreed brief and timescales for delivery will be notified to, and approved by, the council prior to implementation.
18. Monthly reports will be provided to the council in advance of regular monthly meetings at which a representative from the council will attend. These meetings will keep track of performance, progress and spend on the project. The council representative will be given reasonable access to the site to monitor the progress of the project. A final status report will be provided upon completion of the project to confirm that the project has been successfully and properly completed.
19. Payment will only be made to John Kyrle upon confirmation that all relevant legal permissions are in place e.g. planning and building regulations. Satisfactory receipts relating to qualifying expenditure and certified invoices will be required from John Kyrle along with proof of payment before any funds are transferred.
20. A final date for claims will be agreed between the council and John Kyrle. Any invoices received after this date may not be processed.
21. Since becoming an academy John Kyrle have extended its buildings twice to accommodate increasing pupil numbers. John Kyrle successfully managed both projects themselves, each costing over £1m, delivering within budget and on time.
22. An agreement will be entered into between John Kyrle and the council. This will stipulate that the council will provide a finite amount of grant funding for specified building works, John Kyrle will procure and manage the project themselves, John Kyrle take responsibility and risk of any overspend and a commitment by John Kyrle to formally increase their future admission numbers from September 2021 to 240 pupils per year, this includes altering their funding agreement to show the increase.

## **Community impact**

23. John Kyrle is highly valued by the local and surrounding community. It provides high quality education for its children and an extensive adult and community learning programme. This is in addition to augmenting the science departments outreach programme with other schools, some of which involved pupils visiting John Kyrle to undertake experiments.

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24. These activities support the council’s County Plan Ambition to strengthen communities to ensure that everyone lives well and safely together and the Children & Young People’s Plan Pledge of helping all children and young people succeed – be amazing. The proposed works will include mitigation of potential health and safety and safeguarding risks, aim to provide well maintained buildings which are more cost effective to run and therefore benefit all pupils, including looked after children and care leavers.
25. The environmental measures to be incorporated within the build will support the council’s Carbon Management Plan’s target and areas of work for projects and Schools & Academies.
26. The proposal to expand John Kyrle has been a priority according to the principles set out in the Schools Capital Investment Strategy. The requirement for an extra form of entry is supported by previous school census and forecasting data. The following table shows the published admission number, the past observed and future based forecast numbers of children aged 11 (year 7) at John Kyrle, the only school in the planning area.

	PAN	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Ross	210	253	237	238	251	258	253	256	261	240	246	248	254	254	260

## Equality duty

27. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to -
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
28. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation. The new building will be fully compliant with disability legislation and take into account the needs of pupils and users with protected characteristics.

## Resource implications

29. John Kyrle has already delivered building extensions to provide a maths block and a physical education suite. Both projects cost over £1m and were managed and funded by John Kyrle.

30. A finite amount of grant funding will be made available to to John Kyrle for the delivery of the new science block. Any costs above the grant funding allocated will be met by John Kyrle reducing the risk to the council. Basic Need Grant is awarded to the council by DfE to provide additional school places where needed. So there is no cost to the Council on awarding use of this grant and S106 funding received from developers for the same purpose to John Kyrle.

31. The funding has been secured as follows:

Basic Need	£	1,861,414
Section 106	£	179,486
Additional Basic Need required for BREEAM excellent or Passivhaus certification	£	260,000
<b>Total available</b>	<b>£</b>	<b>2,300,900</b>

32. The figures shown are not final costs for the project however they are based on a high level analysis of the proposed scheme and represent the maximum amount of grant funding that will be allocated to John Kyrle for delivery of the project.

33. The basic need allocation may be reduced if further S106 contributions are received for John Kyrle whilst the build is in progress.

34. The requirement that the project works towards a BREEAM excellent or Passivhaus certification adds additional costs to the project of approximately 12.5%. These additional costs are included in the grant funding and this element will be met from the basic need budget, however this may have subsequent impact on future projects that also need to be delivered from this budget as the level of funding available will have been reduced to cover these costs.

## Legal implications

35. The council has a statutory duty to ensure the delivery of sufficient educational provision for the children in the county under s14 Education Act 1996. In facilitating the development of a new science block the current science teaching space will be vacated allowing it to be repurposed and used to support the proposed additional places required for 30 children in year 7 from September 2021.

36. In relation to this project the council is not undertaking the works themselves but are instead looking to make a grant to John Kyrle to undertake the works themselves.

37. There is no statutory duty requiring the council to make a grant to a school to undertake capital works but under s1 Localism Act 2011, the general power of competence, the council can do anything that individuals generally may do.

38. The grant will be provided to John Kyrle under the terms of a grant agreement to be drafted by legal services which will set out clear objectives for the use of the grant monies as well as a clawback mechanism for the grant monies if there is a breach of the grant agreement. John Kyrle will only be able to claim the grant in retrospect against qualifying expenditure and each claim will have to be supported by relevant evidence. The agreement will also require regular project meetings between John Kyrle and the council which will allow the council to monitor the progress of the project.

## Risk management

39. There may be reputational risk to the council if the basic need monies are not spent effectively and we do not meet rising demand in Ross-on-Wye by September 2021. As John Kyrle intends to commission modern methods of construction including modular builds means that schemes can be delivered up to 50% faster than traditional methods of construction. John Kyrle are confident that using the proposed modular build approach, September 2021 is still achievable, albeit very tight.
40. There is a risk that the project will not be complete by September 2021. John Kyrle will delay the repurposing of the existing science laboratories until the new provision is ready. Science could also be taught in general teaching classrooms; not ideal but manageable for a short period.
41. There is a risk that planning permission is not granted. Planning has been contacted and their advice sought. Initial comments are that school expansions can be contentious mainly on highways grounds and the impact on amenity and privacy of neighbouring residents. It is anticipated that these aspects will be considered as part of the design process and any further comments received from planning as part of the consultation will be acted upon.
42. There is a risk that the final costs of delivering the scheme, design and construction, will exceed the budget available. The grant funding provided to the academy will be finite and the agreement between John Kyrle and the council will stipulate that the risk of any overspend will lie entirely with John Kyrle.
43. There is a risk that by utilising some of the basic need funding to cover that part of the grant funding to meet the increased costs required to work towards a BREEAM excellent or Passivhaus certification, there will be insufficient funds available to cover other projects required to be delivered using this funding source. Additional funding may therefore be required from corporate borrowing to cover future projects.

## Consultees

44. In accordance with the principles in the Schools Capital Investment Strategy, in Autumn 2018, secondary school leaders were consulted on the wider options for where, when and how any additional secondary capacity could be created to respond to the coming growth in demand. There was a consensus that there was a need for provision to be expanded in Ross-on-Wye.
45. The cabinet member for commissioning, procurement and assets and the cabinet member for children and families have been consulted and is supportive of the project and its proposed management.
46. The local ward members have been consulted. One response has been received in support of the project stating that it seemed sensible for John Kyrle to manage the project given their previous successful record at doing so and their willingness to bear the risk of any overspend. The only concern was to ensure the council had oversight to ensure the project was delivered to specification, cost and timescales. This is included in the agreement that the school will be entering into.
47. Political groups have been consulted. Two responses have been received both in support of the project and approving of the inclusion of the BREEAM excellent or Passivhaus

---

Further information on the subject of this report is available from  
Karen Knight, Quentin Mee, Tel: 01432 383042, 01432 383043, email: [kknight@herefordshire.gov.uk](mailto:kknight@herefordshire.gov.uk),  
[Quentin.Mee@herefordshire.gov.uk](mailto:Quentin.Mee@herefordshire.gov.uk)

certification which is in keeping with the commitment to tackling the climate emergency. The other comment received was surrounding the ability for the project to enable local children to attend the local school. The admissions criteria for the school include catchment area as one of the first priority criteria for offering a place.

48. John Kyrle will be conducting a wider public consultation ahead of making any application to the Regional Schools Commissioner to increase its capacity.

## **Appendices**

Appendix 1 - Darwin Group Ltd – High Level Feasibility Report

## **Background papers**

None identified.

## **Glossary of terms, abbreviations and acronyms used in this report.**

DfE Department for Education

BB103 Department for Education's Building bulletin 103: Area Guidelines for Schools

S106 Section 106 housing developer contributions



# John Kyrle High School 1 Form of Entry Expansion PCSA Proposal

DarwinGroup Ltd Proposal

Subject to Contract

Quote Ref: QF0093

Date: 13.09.19



## Contents Page:

Topic
About Us
Appendix 1) Letter of Approach
Appendix 2) Scope of Works
Appendix 3) Client Brief
Appendix 4) Design & Planning Order Form
Appendix 5) Terms and Conditions
End



## About Us:

**DarwinGroup** Ltd specialise in the fast track construction of education projects using sustainable modern methods of construction. Our typical project values range between £600,000 to over £10 million.

We provide our clients with a truly unique turnkey service covering all elements of the design, planning and construction activities throughout all of the stages as defined within RIBA using our own in-house team of directly employed designers, architects, town planners and construction professionals. This provides a swift, cost effective and seamless service to our clients.

## Our Story:

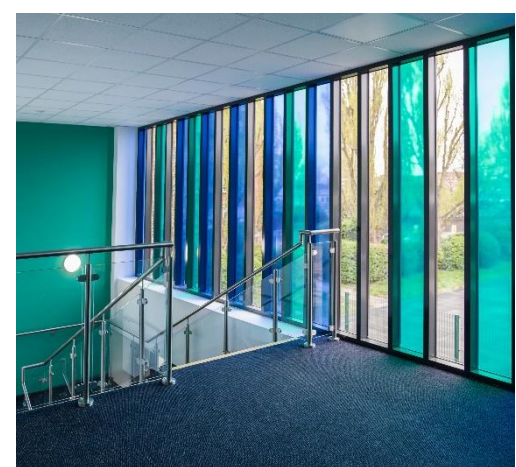
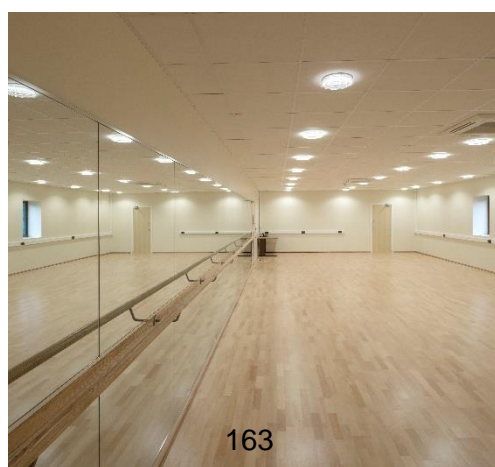
**DarwinGroup** Ltd was founded in 2006 by the Pierce family. Their experience in the industry now spans five decades. Husband and wife team Richard and Lesley along with three of their six children, Richard Jnr, Jim and Charles work full time for the company.

Over one hundred directly employed specialist construction staff now operate from our head office in the heart of the UK supporting a turnover of £30 million.

There is a high level of staff retention and loyalty within the company, and different ideas, skills and approaches are examined and adopted where sensible. This approach of not being afraid to do things differently from the norm has spawned systems and techniques that have allowed us to redefine what is realistically achievable within tight timescales and budgets.

## Key Contacts:

Name	Role / Position	Contact
Jim Pierce	Group Director	01939 252909 jagpierce@darwingroupltd.co.uk
Daniel Barker	Regional Sales Manager	01939 252909 dbarker@darwingroupltd.co.uk
Adam Brindley	Pre-Construction Manager	01939 252909 abrindley@darwingroupltd.co.uk



# Letter of Approach



**For attention of: Mr Nigel Griffiths, Headteacher**

John Kyrle High School  
Ledbury Road  
Ross-on-Wye  
Herefordshire  
HR9 7ET

**13<sup>th</sup> September 2019**

Dear Nigel,

**Re: John Kyrle High School, 1 Form-of-Entry Expansion – Pre-Construction Services Commission**

**Project Reference: 180170**

**Quote Reference: QF0093**

On behalf of myself and Darwin Group, we are delighted to have been invited to put forward proposals to work with John Kyrle on the development of an options appraisal as part of a Pre-Construction Services Commission to facilitate the expansion of the school by 1 Form-of-Entry for September 2020.

I have the pleasure in presenting you with our proposals for a Pre-Construction Services Agreement. This process will allow us to work closely with John Kyrle High School to develop:

- **An initial Feasibility Assessment/ Options Appraisal to Identify Options to facilitate the Expansion**
- **A full set of scheme designs, up to the end of RIBA Stage 3 (Developed Designs)**
- **A fixed-cost set of Contractors Proposals, based upon a comprehensive suite of construction surveys**
- **A planning application, including submission and administration thereafter to point of determination**

Within the proposal, we include the following appendices for your consideration:

- **Appendix 2: Anticipated Scope of Works**
- **Appendix 3: Client Brief – Including Concept Designs for the New Science Block**

This agreement does not commit John Kyrle High School to contracting Darwin Group to deliver the scheme, but will allow you to develop the schools vision to a point where you have detailed designs and a high level of cost confidence prior to submitting the scheme into planning and the gaining of planning consents.

**Anticipated Programme for Pre-Construction and Construction Phases**

We would currently expect the Pre-Construction Programme, (Feasibility, Designs, Surveys, Proposals and Planning Application Process) to be undertaken in approx. 20 weeks between September 2019 and March 2020, but this is subject to agreement of the full client brief and scope of works, design development and approval process and co-operation of the planning authority in terms of the formal pre-application and application process. A high level, key milestone programme has been included below:

- PCSA Instruction 20<sup>th</sup> Sept 2019
- Design Development, Surveys etc. 23<sup>rd</sup> Sept 2019 – 15<sup>th</sup> Nov 2019
- Submission of Contractors Proposals 15<sup>th</sup> Nov 2019
- Preparation of Planning Submission 18<sup>th</sup> Nov 2019 – 6<sup>th</sup> Dec 2019
- Planning Application Submission 9<sup>th</sup> Dec 2019
- Planning Consents Achieved 31<sup>st</sup> Jan 2020 (Assumed 8-week Minor App)
- Discharge of Pre-Commencement Planning Conditions incl. Preparation 3<sup>rd</sup> Feb 2020 - 10<sup>th</sup> April 2020 \*\*
- Construction Period (24 Weeks) 13<sup>th</sup> April – 25<sup>th</sup> Sept 2020

**\*\* We would work diligently to ensure that there are no pre-commencement conditions applied to the planning consents. This would allow us to shorten the period between achieving planning consents and starting onsite by approx. 6 weeks. This would enable us to complete the scheme by mid-August 2020.**

**Budget Cost Estimate**

Our budget cost estimate for the Scheme is based upon the information contained within the attached **Appendix 3 – Client Brief** document. The budget cost estimate is as follows, excl. VAT:

Preliminaries	£ 178,000
Enabling Works and Reduced Level Dig	£ 14,500
Substructure Works incl. Drainage	£ 115,000
Superstructure, incl. all Claddings, Windows, Doors etc.	£ 775,000
Internal Fit Out of Building	£ 274,000
MEPH	£ 475,000

**Sub Total £ 1,831,500**

*This quotation is a budget quotation and as such no order can be placed against it.*

We would propose that the school/ client make the following allowances as Provisional Sums:

Hard Landscaping	£ 30,000
Fit-Out of Science Labs (Benches etc.)	£ 150,000
Planning Condition Discharge Items	£ 10,000

Our costs do not allow for any project contingency in relation to any abnormal site conditions, e.g. contamination, service upgrades etc. We would therefore suggest that it would be prudent for the client to allocate a 5% contingent allowance for such items.

**Cost for the Pre-Construction Services Commission**

**The cost for delivering the Scope of Works outlined in Appendix 2 of this Pre-Construction Services Proposal is £39,400 + VAT.**

I would like to thank you for offering Darwin Group the opportunity to put forward these proposals. Should you have any questions in relation to any element of this document, please do not hesitate to contact me.

Best Regards,



**Jim Pierce**  
Group Director

T: 01939 252909 / 07985 277570  
Email: [japierce@darwingroupltd.co.uk](mailto:japierce@darwingroupltd.co.uk)

## Appendix 2) Scope of Works





## Appendix 2 – Scope of Works

### 180170 – John Kyrle High School – 1 Form-of-Entry Expansion Project

**Quote Ref: QF0093**

#### **Surveys, Design and Planning: Scope of Works Description**

The below scope of works describes the entire works that have been allowed for within the proposal by Darwin Group Ltd. for the proposed works at John Kyrle High School – for Initial Feasibility/ Options Appraisal followed by Surveys, Design, Contractors Proposals and Preparation, Submission and Administration of a Planning Application. The following provisional list of services will be developed following an initial series of meetings to understand the client brief and having developed with you a set of concept designs and budget cost proposals, for initial discussion with the Local Authority.

#### **Surveys**

Darwin Group Ltd. propose to carry out the following surveys:

Ground Investigation Report
Ground Penetrating Radar Survey
STATs Analysis
Arboricultural Survey
CCTV Drainage Survey
Service Capacity Survey and Load Tests
Archaeological Survey
Desktop Unexploded Ordinance (UXO) Survey
Flood Risk Assessment
Topographical Survey
Access and Logistics Survey
Heritage Assessment
Background Noise Assessment

## Developed Design (RIBA Stage 3)

Once the reports of the surveys are received, Darwin Group shall interpret these reports and a meeting will be held to present the findings. Should the findings render any influences that may necessitate design changes or uplift in cost a design meeting shall be held specifically to agree any changes and mitigate cost uplift where possible.

The premise for the design shall be based on the client's brief along with the results of the surveys. Darwin Group will draw upon industry expertise and experience to ensure that the proposed designs incorporate the client's requirements outlined in the brief, along with the information received from the surveys – to ensure that the designs are:

- To the client's expectations.
- Aesthetically pleasing providing a signature building.
- Efficiently designed.
- Economically designed.

The subsequent proposal that is provided to the client shall include:

<b>Design Work Undertaken to provide full Contractors Proposals</b>
Ordnance Survey (OS) Site Plan
Attendance at 2 No. Design Meetings
Attendance at 1 No. Planning Pre-application Meeting
Generation and revision following Design Meetings of General Arrangements
Generation and revision following Design Meetings of 2D Elevations
Generation and revision following Design Meetings of Site Location Plan
Generation and revision following Design Meetings of Room Data Sheets
Final General Arrangements
Final 2D Elevations & Material's Schedules (Windows, Doors, Claddings etc.)
Final Site Plan
Final Room Data Sheets
Structural Design
Foundation and substructure design strategy
SuDS (if required) and foul drainage design
Generation of Site Services Layout
Roof Plan
3D Visualisations
Hard & Soft landscaping design
M&E design strategy
Design stage BRUKL
Site Logistics Plan

<b>Other Documents Generated for Contractors Proposal</b>
Project Construction Programme
Survey Tracking Document
Performance Specification
Contractors Sum Analysis
Project Risk Register

Once the design is provided to the client, Darwin Group have included for 2 - 3 design review meeting with the client where the design can be discussed and developed. The meeting will be for a maximum of 4 working hours. During this meeting, if the client identifies any changes that they require to the designs, these must be summarized in writing within the design review meeting. Darwin Group shall carry out design alterations as directed and shall re-submit back to the client. Any further changes required to the design from this point forward will be deemed excluded from this Contract, and may cause a delay to the anticipated programme for the pre-construction and construction phases.

### **Planning Assistance**

Upon completion of the surveys and design development, Darwin Group shall provide John Kyrle High School with a set of Contractor's Proposal, including a pack of supporting information.

Thereafter, and upon John Kyrle High School's instruction, Darwin Group shall submit a planning application for the approved scheme.

The following will be completed by Darwin Group to assist with the planning submission for this project:

Generation of Site Location Plan
Generation of Existing Block Plan
Generation of Proposed Block Plan
Generation of Existing Topographical Plan
Generation of Site Section Drawings
Generation of Environmental Statement
Generation of Design and Access Statement
Generation of Construction Method Statement

## Appendix 3) Client Brief



## Appendix 3 - Client Brief

### 180170 – John Kyrle High School – 1 Form-of-Entry Expansion Project

#### Quote Ref: QF0093

#### Scheme Design Development and Planning based on the below requirements;

The School will commission Darwin Group Ltd. to undertake a number of Pre-Construction Services to facilitate the development and delivery of the 1 Form of Entry Expansion and associated works at the School. These services will include:

- Design: The development of scheme designs up to the end of RIBA Stage 3
- Surveys: Undertaking of necessary surveys to develop robust Contractors Proposals and to facilitate the preparation of a planning application for the scheme
- Planning: Preparation, submission and administration of the planning application

#### Schedule of Accommodation:

As shown within our previously issued designs (attached in the following pages) with a starting point of providing a New Building with GIFA (Gross Internal Floor Area) of approximately 855m<sup>2</sup>, to include:

- 6 No. Specialist Science Laboratories
- 6 No. Science Preparatory Rooms
- 1 No. Science Office
- 1 No. Plant Room
- 2 No. Cleaners Store
- Female and Males WC's
- 3 No. DWC's

The final exact schedule of accommodation will be determined through the design development process in consultation between Darwin Group, the School and the local planning authority.

# John Kyrle High School



**\*\* PLEASE NOTE 3D VISUALS ARE INDICATIVE ONLY \*\***

Rev	Description	By	Chk	Date

ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED. DO NOT SCALE OFF DRAWINGS. ALL DIMENSIONS ARE NOMINAL AND MUST BE CHECKED ON SITE. ALL DRAWINGS ARE COPYRIGHT OF DARWIN GROUP LTD AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT OF DARWIN GROUP LTD.  
 IF THERE ARE ANY DISCREPANCIES WITH ANY INFORMATION PROVIDED, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY DARWIN GROUP LTD IMMEDIATELY.

**DarwinGroup** London House, Shawbury Business Park, Shawbury, Shrewsbury, SY4 4EA  
 TEL: 01939 252900  
 Design — Engineering — Contracting — Offsite — Minor Works www.darwingrouppld.co.uk

PROJECT TITLE: John Kyrle High School ADDRESS: Ledbury Road, Ross-on-Wye, HR9 7ET

DRAWING TITLE: 3D\_Visuals

DRAWING REFERENCE						
PROJECT	ORGANISOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
180170	DGL	03	XX	VS	A	2200
INITIAL ISSUE DATE	INITIAL ISSUE BY	INITIAL CHECKED BY	GIFA			
11/09/19	CR	DK	855 m <sup>2</sup>			
SUITABILITY	SCALE	SHEET	REV			
SO	Initial Status	A1				
<small>STATUS CODE</small>	<small>STATUS DESCRIPTION</small>	<small>SCALE</small>	<small>SHEET</small>	<small>REV</small>		

11/09/2019 15:26:21



# John Kyrle High School



**Front Elevation**  
1 : 100



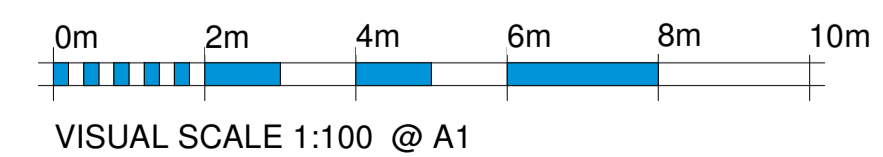
**Left Elevation**  
1 : 100



**Right Elevation**  
1 : 100



**Rear Elevation**  
1 : 100



A	GRP Profiled Fascia (RAL TBC)
B	Red Brickwork
C	Red Brickwork Plinth
D	Soldier Course Brickwork
E	Aluminium Windows/Doors (RAL TBC)
F	Aluminium Canopy (RAL TBC)
G	External Staircase
H	Aluminium Rain Water Goods (RAL TBC)
I	Roof Light

Rev	Description	By	Chk	Date

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IF THERE ARE ANY DISCREPANCIES WITH ANY INFORMATION PROVIDED, IT IS THE CONTRACTORS RESPONSIBILITY TO NOTIFY DARWIN GROUP LTD IMMEDIATELY.

**DarwinGroup** London House, Showbury Business Park, Showbury, Strewsbury, SY4 4EA  
 Design — Engineering — Contracting — Offsite — Minor Works **Construction Has Evolved**  
 TEL: 01939 252900  
 www.darwingrouppltd.co.uk

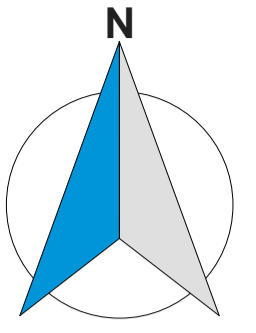
PROJECT TITLE: John Kyrle High School  
 ADDRESS: Ledbury Road, Ross-on-Wye, HR9 7ET

DRAWING TITLE: Elevations

DRAWING REFERENCE						
180170	DGL	03	XX	DR	A	2100
PROJECT	ORGANISOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
10/09/19	CR	DK	DK	DK	DK	855 m <sup>2</sup>
INITIAL ISSUE DATE	INITIAL ISSUE BY	INITIAL CHECKED BY	GIFA			
SUITABILITY	SCALAS	SHEET	REV			
SO	Initial Status	indicated	A1			
STATUS CODE	STATUS DESCRIPTION					



# John Kyrle High School



Rev	Description	By	Chk	Date

ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED. DO NOT SCALE OFF DRAWINGS. ALL DIMENSIONS ARE NOMINAL AND MUST BE CHECKED ON SITE. ALL DRAWINGS ARE COPYRIGHT OF DARWIN GROUP LTD AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT OF DARWIN GROUP LTD.  
IF THERE ARE ANY DISCREPANCIES WITH ANY INFORMATION PROVIDED, IT IS THE CONTRACTORS RESPONSIBILITY TO NOTIFY DARWIN GROUP LTD IMMEDIATELY.

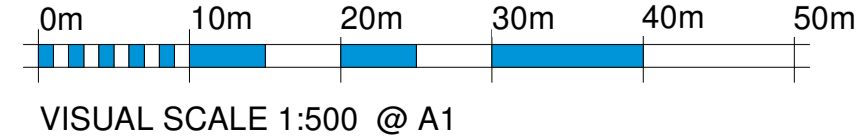
**DarwinGroup** London House, Showbury Business Park, Showbury, Stroud, Gloucestershire, GL8 3LH  
Construction Has Evolved  
TEL: 01939 252900  
www.darwingroup.co.uk

PROJECT TITLE: John Kyrle High School  
ADDRESS: Ledbury Road, Ross-on-Wye, HR9 7ET

DRAWING TITLE: Proposed Site Plan

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	NUMBER
180170	DGL	03	XX	DR	A	1140
INITIAL ISSUE DATE	INITIAL ISSUE BY	INITIAL CHECKED BY	GIFA			
10/09/19	CR	DK	855 m <sup>2</sup>			
SUITABILITY	SCALE	SHEET	REV			
S0 Initial Status	1 : 500	A1				
STATUS CODE	STATUS DESCRIPTION					

Proposed\_Site\_Plan  
1 : 500



# Appendix 4)

## Pre-Construction Services Order Confirmation Form



# DarwinGroup

Construction Has Evolved  
 Design — Engineering — Contracting — Offsite

London House  
 Shawbury Business Park  
 Shrewsbury SY4 4EA

Company Registration Number - 5395228  
 VAT Number - 907075331

01939 252900

[enquiries@darwingroupltd.co.uk](mailto:enquiries@darwingroupltd.co.uk)  
[www.darwingroupltd.co.uk](http://www.darwingroupltd.co.uk)

## PRE-CONSTRUCTION SERVICES ORDER CONFIRMATION FORM

**Form Reference** Quote Ref: QF0093 **Project Reference** 180170 - 1 Form of Entry Expansion

**Sales Person** Jim Pierce

**Client Name** John Kryle School **Site Name** John Kryle School

**Client Address** Ledbury Road  
 Ross on Wye  
 Herefordshire

**Site Address** Ledbury Road  
 Ross on Wye  
 Herefordshire

**Postcode** HR9 7ET **Postcode** HR9 7ET

**Description**

*Completed design documents will be forwarded to the client for approval prior to submission of any planning application to the Local Authority.*

**Planning & Design Fee (excl. VAT) £39,400.00**

*Fee to be paid under the following terms; As per Appendix 5*

*Works will include for: As per Appendix 2*

**Signed**



**Signed**

**Position**

Group Director

**Position**

**Organisation**

Darwin Group Ltd

**Organisation**

**Date**

13.09.19

**Date**

*By signing and returning this form, you are agreeing to Darwin Group's standard Terms & Conditions of Planning Order. Prices quoted are excluding VAT, which will be charged at the prevailing rate at the time of invoice. Acceptance of this order instructs Darwin Group to undertake all works necessary and incur associated fees without seeking formal*

# Appendix 5)

## Terms and Conditions of Pre-Construction Services Agreement



## Terms & Conditions of Order of Pre-Construction Services Agreement

### 1. Definitions

In the context of these conditions:

- a) The word 'Seller' means Darwin Group Ltd (Company number 5395228) whose registered office is at London House, Shawbury Business Park, Shrewsbury, Shropshire, SY4 4EA and includes its successors or assigns.
- b) The word 'Buyer' will be construed as meaning any person, firm, company, corporation or body (or their successors or assigns) who placed an order for the sale or supply of Services with the Seller.
- c) The word 'Service' means the submission of an application for planning permission and any associated design or survey work described in the quotation document.
- d) 'Contract' means any Contract between the Seller and Buyer for the service supplied, incorporating these conditions, the Buyer's instruction, and the Seller's quotation.
- e) The word 'Order' means the Order placed by whatever means by the Buyer for the supply of the service and accepted by the Seller.

### 2. Acceptance

- a) Acceptance of an Order will be deemed to bind the Seller and the Buyer to the following conditions, which shall govern the Contract to the exclusion of any other terms and conditions purported to be specified or incorporated by the Buyer. No variation shall have effect unless expressly agreed in writing and signed by the Sellers authorised representative.
- b) The Buyer acknowledges that they have not relied on any statement, promise or representation made or given by or on behalf of the Seller which is not set out in the Contract.
- c) The Buyer accepts that this Service is for the submission of a planning application only, and;
- d) Acceptance of this Service does not bind the Seller to responsibility for any other service.

### 3. Price

- a) The price of the Service shall be the Sellers quoted price. All prices quoted (whether verbally or in writing) shall be exclusive of any value added tax which the Buyer shall pay in addition, to the Seller, when payment is due. The price does not include allowance for any associated

or statutory fees, including local planning authority fees, incurred on behalf of the Seller through the process of lodging the application with the appropriate authorities.

- b) The Seller reserves the right, by giving notice to the Buyer at any time during the Service, to increase the price of the Service to reflect any increase in the cost to the Seller, which is due to any factor beyond the control of the Seller (such as, but not limited to, any foreign exchange fluctuation, currency regulation, alteration of duties, significant increase in the cost of labour, material, third party services or associated fees), any change in delivery dates, design, quantities or specifications for the Goods which is requested by the Buyer or failure of the Buyer to give the Seller adequate information or instruction.

#### 4. Payment and Payment Terms

- a) Payment Terms:
  - (i) 50% immediately upon instruction
  - (ii) 50% upon preparation and agreement of planning submission and cost proposals, but prior to submission of planning application
- b) The Seller shall be entitled to invoice the Buyer as in 4(a) above immediately upon instruction of the Service.
- c) The Buyer shall make all payments due under the Contract in full without any deduction whether by way of set-off, counterclaim, discount, abatement or otherwise.
- d) Time for payment shall be within 30 days of presentation of invoice or as otherwise stated on the invoice, whichever is sooner.
- e) If the Buyer fails to make any payment on the due date then, without prejudice to any other right or remedy available to the Seller, the Seller shall be entitled to:
  - (i) cancel the Contract or suspend any further works on behalf of the Buyer, whether in relation to this or other Contracts between the Seller and the Buyer.
  - (ii) charge the Buyer for any cancellation and remobilisation fees incurred through the cancellation of such services as allowed in 4(e)(i) above along with a reasonably claimed administration fee.
  - (iii) charge the Buyer interest (both before and after any judgement) on the amount unpaid at the rate of 5% per annum above the HSBC Bank plc base rate from time to time in force.

#### 5. Warranties and Liabilities

- a) The Seller offers the Service for the submission of a planning application only:
  - (i) the Seller cannot guarantee to achieve a successful planning application as this is outside of our control, and;
  - (i) the Seller cannot guarantee that there will be a decision made by local planning authority within a certain timeframe, and;

- (ii) the Seller cannot guarantee that any application made will be granted without amendments or conditions, and;
  - (iii) the Seller cannot guarantee that the local planning authority will not place a maximum time period grant of planning as a condition of approval, and;
  - (iv) in no case shall the Seller be liable to the Buyer for any resultant or consequential loss, damage or inconvenience arising out of the delay in delivery or stoppage from any cause whatsoever.
- b) Any designs created and submitted by the Seller are conceptual only, and the Seller does not, through this Service, warrant that such design concepts are compliant with other statutory regulations.
- c) Should the application be rejected by local planning authority, the Seller reserves the right to charge an additional fee for any further work required with either lodging a further application or engaging with the relevant authority, as set out in 3(b).
- d) The total limit of the Seller's liability in respect of this Service is limited to the total value of the service, excluding the value of any third party services and local planning authority fees. No penalty charges or damages of any kind, proven or otherwise, will be accepted by the Seller.

## 6. Property

Copyright for any documents, designs, reports or other works created by the Seller in connection with the Service remain the property of the Seller.

## 7. Termination

- a) If;
- (i) the Buyer makes any voluntary arrangement with its creditors or becomes subject to an administration order (or being an individual or other firm) becomes bankrupt (or being a company) goes into liquidation (otherwise than for the purposes of amalgamation)
  - (ii) any encumbrance takes possession, or a receiver is appointed, of any of the property or assets of the Buyer
  - (iii) the Buyer ceases, or threatens to cease, to carry on business
  - (iv) the Seller reasonably apprehends, in its own judgment that any of the events mentioned above is about to occur in relation to the Buyer and notifies the Buyers accordingly

then, without prejudice to any other right or remedy available to the Seller, the Seller shall be entitled to cancel the Contract or suspend any further works under the Contract without any liability to the Buyer notwithstanding any previous agreement or arrangement to the contrary.

- b) The Seller reserves the right to cancel the provision of this Service for any reason without prior notice. Upon cancellation the Seller will refund any monies paid by the Buyer in relation to the Service, excluding the value of any third party services and associated/statutory fees. This will be the full extent of the liability of the Seller.

## 8. Force Majeure

In the event of war, invasion, act of foreign enemy, hostilities (whether war has been declared or not), civil war, rebellion, revolution, insurrection or military or usurped power, the Seller shall be relieved of the liabilities incurred wherever and to the extent to which the fulfilment thereof is prevented, frustrated or impeded, as a consequence of any such event or by any statute, rule, regulation, order or requisition issued by any government department, council or other duly constituted authority or from strikes, lockouts, breakdown of Plant or any other cause (whether or not of a like nature) beyond the Seller's control.

## 9. Sub-Contracting

The Seller reserves the right to sub-contract the fulfilment of the Service or any part thereof.

## 10. General

- a) Any delay or failure of the Seller to exercise a right or remedy shall not constitute a waiver of it or them and any of the Seller's rights or remedies may be enforced separately or concurrently with any other right or remedy now or in the future accruing to the Seller to the effect that such rights are accumulative and are not exclusive of each other.
- b) These terms and conditions cannot be varied or altered by any person other than the Managing Director or Chairman of Darwin Group Ltd.
- c) Without prejudice to the authority of the Courts, it is agreed that the Seller shall be at liberty to commence any proceedings in relation to any failure on the part of the Buyer to perform any of its obligations under this agreement out of such County Court or District Registry of the High Court which shall, in its discretion, be convenient to the Seller and the Buyer shall not object thereto save for the purposes of the trial venue of any such proceedings.
- d) This agreement shall be governed and construed according to the Laws of England and Wales and shall be subject to the exclusive jurisdiction of the Courts of England and Wales.



- e) Each of our rights or remedies under the Contract is without prejudice to any of our other rights or remedies whether under the Contract or not.
- f) You may not assign the Contract or any part of it without our prior written consent.
- g) You and we do not intend that any term of the Contract shall be enforced by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person that is not party to it.
- h) If any provision of the Contract is found by any Court to be wholly or partly unenforceable, it shall to the extent of such unenforceability be deemed severable and the remaining provisions of the Contract and the remainder of such provision shall continue in full force and effect.



# DarwinGroup

Construction Has Evolved

Design — Engineering — Contracting — Offsite

